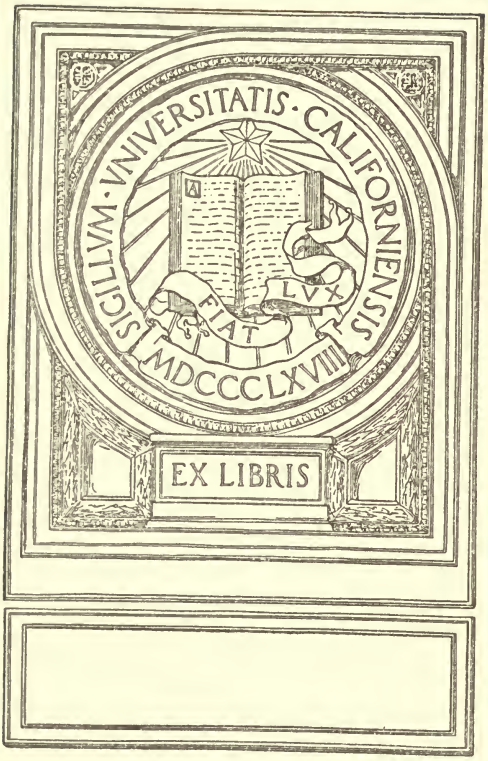
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GENERAL WILLIAM HULL'S
MEMOIRS
OF
THE CAMPAIGN
OF
THE NORTH WESTERN ARMY,
1812.

MEMOIRS

OF

THE CAMPAIGN OF

THE NORTH WESTERN ARMY

OF THE UNITED STATES, A. D. 1812.

IN A SERIES OF LETTERS ADDRESSED TO THE CITIZENS OF THE UNITED STATES.

WITH AN APPENDIX,

CONTAINING A BRIEF SKETCH OF THE REVOLUTIONARY SERVICES OF

THE AUTHOR.

BY WILLIAM HULL,

LATE GOVERNOUR OF THE TERRITORY OF MICHIGAN, AND BRIGADIER GENERAL IN THE SERVICE OF THE UNITED STATES.

BOSTON.

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MEMOIRS

OF THE CAMPAIGN OF THE

NORTH WESTERN ARMY,

IN THE YEAR 1812.

Addressed to the People of the United States.

No. I.

Fellow Citizens,

When my defence before the Court Martial was published, I stated in a preface addressed to you, that it was not then in my power to present all the documents and evidence which related to the subject; that the proceedings were deposited in the office of the Secretary of the department of War, and by law, I was entitled to a copy of them; and as soon as they were obtained, they should be published in separate numbers. Until the present time, I have not been able to obtain them.

Immediately after the trial, during the administration of Mr. Madison, I addressed a letter to the Secretary of War, Gen. Armstrong, requesting a certified copy. He did not think proper to comply with my request, or even return an answer to my application. Lately, under the administration of President Monroe, they have been prepared and transmitted by Mr. Calhoun, the present Secretary, with a promptitude and independence becoming the character of that officer.

Although it has been a source of severe regret, that I have not been able to make this communication at an earlier period, yet under all circumstances, perhaps it ought not to be considered a misfortune. All who were then actors on the stage, will re-

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Science is increasing with such rapid progress, that there can be no doubt, but our Country will soon produce an American Livy or Tacitus, who, rising above the atmosphere of prejudice, will develope the true causes of our misfortunes, as well as of our glory.

The first war in our country, after we became a nation, and the first military operations in that war, whether prosperous or disastrous, will be considered as interesting events. All the evidence, which has any relation to them, will become the subject of the research of such an Historian, and viewed by him with deep interest.—His own fame, as well as his country's honour, will depend on his strict adherence to truth, as his standard, and no motives can be presented, so powerful, as to induce him to deviate from it.

To aid you, my fellow citizens, in forming a correct judgment on this portion of our history, and to preserve for the use of such an Historian, evidence which will be useful to him, and to posterity, are among the objects of the following memoirs. They will contain the views of the administration in preparing a force, previously to the declaration of war; my motives in accepting the command; the operations of the campaign, and the causes of its disasters.

I now have the happiness to believe, I shall be able to spread before you such evidence, and principally from the records of the government, as will satisfy you, that the misfortunes of that campaign ought not to rest on me.

In recollecting my former relations to my fellow citizens of the County of Middlesex, I cannot but hope a few observations addressed particularly to them, will be acceptably received.

Having lived in the midst of you nearly forty years; having by your suffrages been elected to important public offices; having for nearly twenty years devoted my best exertions, and my best talents to the discipline, and fame of the 3d Division of Militia, and having experienced your kindness and friendship, it is impossible for me to feel indifferent to your opinions.

If the mutual friendly intercourse, which so long subsisted between us, is still remembered by you, and has given me any claim to your regards; if the manner in which I discharged the duties of the public offices, which I held by your suffrages, entitled me to your approbation and confidence; and if the for-

tunes I have since experienced, and the representations which have been made to you, have made any unfavourable impressions on your minds, I only ask you to read the statements I shall make, and the evidence on which they are founded, and on them form an impartial decision.

I presume I need not make an apology, for expressing my strong desire, that a statement of the facts with the evidence, contained in the following numbers, may be examined with attention, by the small remnant of the surviving officers of the revolutionary army.—It is impossible for me to call to mind the scenes and events of that period, without the most interesting recollections. A remembrance, that I was your companion in that glorious contest; that I often fought by your sides, that you were witnesses of my conduct, in the battles on Long Island, at the White Plains, at Trenton, at Prince Town, at Saratoga, and Bhemis's Heights, at Monmouth, at Stoney Point, Morrissania, and on many other memorable occasions,—have been a source of happiness and support, through all the vicisitudes of fortune, which I have since been called to experience.

A recollection of the motives which animated us in that glorious contest; that it was commenced by less than three millions of people; that we have lived to see more than ten millions, in the enjoyment of privileges and blessings, derived from it; that we have likewise, lived to see a great part of the civilized world, desirous of following the example, and wishing to enjoy the same privileges and blessings; and that we were the followers and associates of the illustrious Washington, and under his banners, acted a part, however small, in obtaining such privileges and blessings, for our fellow citizens; and producing such an example to the civilized world, must now inspire us with sensations, which no language can describe, which will cheer the decline of life, and console the hour of death.

No. II.

Before I proceed in my narrative, and produce the documents and evidence in its support, I will exhibit to your view a general outline of the facts, which it will be my object to prove, and which will be contained in the following numbers.

In the first place I shall show, that I accepted a military appointment, and the command of the forces in Ohio, in time of peace, for the purpose of protecting the inhabitants of the Territory of which I was Governor, and those of the North-western frontier against the savages ;—That I considered the force entrusted to my command, in time of peace with Great Britain, when we had the free communication of Lake Erie, to obtain the necessary supplies, sufficient for that object ;—That these forces being ordered nearly four months before the declaration of war, and there being strong indications that it would take place, I communicated to the government my views, in an event of that kind ;—That these official communications were made both before and after I accepted this command ;—That in the event I have mentioned, I stated in the most explicit manner, that a naval force, sufficient to command Lake Erie, would be indispensably necessary, and essential to success ;—That without such a force, an army could not be supported at Detroit, and that *that place, Michillimackinack and Chicago,* must necessarily fall into the hands of the enemy.—And if it were the intention of the Government, that hostilities should be commenced from that quarter against Upper Canada, it would be indispensably necessary, besides the co-operation of a naval force, to provide an army on the Niagara river to assist and to co-operate with the Army at Detroit. That these communications, having been received as official communications, I had every reason to believe, before a war was declared, that such a navy, and such an army, would have been provided ;—That with these impressions I proceeded to the state of Ohio, took the command of the forces, which consisted of 1200 militia and volunteers, and about three hundred regulars ;—That these militia were badly armed, badly clothed, and entirely undisciplined ; That my orders were to march to Detroit, and make the best arrangements in my power for the protection of the inhabitants against the Indians ; That the country from Urbanna in Ohio, to Detroit. was principally a wilderness, and the distance about 200 miles ;—That I was furnished with no field artillery ;—That on the 2d day of July. near the foot of the rapids of the Miama, about fifty-two miles from Malden, and seventy from Detroit, I first received information of war against Great Britain, fourteen days after it had been declared ;—That the letter from the Administration announcing this event, was delivered to me by a stranger, who informed me

that it was brought by the mail to the Post Office in Cleaveland, state of Ohio, and the Post Master of that place had employed him to deliver it to me, wherever he found me, on my march to Detroit;—That the rout it was sent was very circuitous, and if it had been sent by an express, it might have reached me in four or five days at farthest;—That the enemy at Malden, fifty miles more distant from Washington than my army, received the information several days before;—That by this letter from the administration, I was not only informed that war was declared against Great Britain, but was positively ordered to march the forces under my command to Detroit, eighteen miles in the rear of the enemy's principal fortress at Malden; and there wait for further orders;—That on the first day of July, having received no information of the declaration of war, and supposing the navigation of the Lake to be safe, a vessel was employed by the Quarter-Master, to transport the sick of the army, and the stores, and baggage, not necessary on the march, to Detroit;—That this vessel was taken by the enemy on her passage, and that this first misfortune was occasioned by the neglect of the administration, in not giving me information of the war eight days sooner, which might easily have been done;—That I have the strongest possible ground to declare, that this might have been done, because I shall show, that I received a letter from Washington, on the 26th of June, and dated also the 18th, the same date with the letter announcing the declaration of war, by express, which gave no information of the declaration of war.

I shall prove by the records of the government that I stated in the most explicit terms to the administration, that Detroit, or some position on the waters of Lake Erie, would be a suitable position for troops, in time of peace with Great Britain, designed for the protection of the Michigan Territory, and the North-western frontier against the savages.—But in the event of war with that nation, it would be impossible to support an army in that country, without a naval force, sufficient to preserve the communication of the Lake, and without a powerful army on the Niagara strait, to take possession of the enemies posts, on that strait, and co-operate with such forces as should make an invasion from Detroit, and by the co-operation of such forces, take possession of the Province. I shall show that this order of the administration to march my army to Detroit, after the declara-

tion of war, and no navy being provided, to preserve the communication of the Lake, and no army on the Niagara strait, which ever co-operated with me, was contrary to what I had sufficient grounds to believe was the understanding before I left Washington; contrary to the most explicit opinion I had given on the subject; contrary to all military experience, and the principles which have been taught by the best military writers; —That I obeyed this order because it was positive, and under the full expectation, that a naval force. and an army would have been provided to have assisted and co-operated with me, and that I had sufficient reasons to expect such assistance and co-operation in the event of war, and in the invasion of Canada;— That in compliance with these orders, I passed the enemy's post at Malden, and proceeded to Detroit, eighteen miles in the rear of that post, and both situated on the same river, where I arrived on the 5th of July;—That notwithstanding my orders were positive to remain there until I should receive further orders, the militia and volunteer officers nearly excited a mutiny, because I did not immediately cross the river, and commence offensive operations in violation of my orders;—That on the 9th of July, I received an unqualified authority, which from the manner in which it was expressed, could have had no other construction, than a positive order to cross the river, and invade the enemy's territory; and to issue a proclamation to the inhabitants, and to pledge the government that they should be protected in their persons, property, and rights; and in the same letter I was only authorized to attack the fortress at Malden, provided, in my opinion, my forces were adequate to the enterprise, and it could be done consistently with the safety of my other posts;—That I issued a proclamation to the inhabitants, and on the morning of the 12th of July, crossed the river and took possession of the opposite bank, in the face of the enemy;—That I was induced to adopt these measures from the orders I received from the government, from the impatience of my army, from the convenience, and even necessity of collecting supplies from the enemy's country, from the expectation of co-operation, and from the hope that a display of the American flag on both sides the river, would have a favourable effect on the savages and militia of the province;—That the authority I received to attack the enemy's fortress at Malden, being discretionary, I wrote to the

Government the same day I received it, that my force was not adequate to the enterprize, and stated as a reason, that the enemy commanded the Lake and the savages.

That I remained in the enemy's country about a month, under the expectation of receiving assistance and co-operation from the army under the command of General Dearborn, at Niagara; that during this time I received information that Michillimackinack, on the same navigable waters with Detroit and Malden, had fallen; that the forces, with the savages, of all that region, were descending the waters of the northern lakes against me; that I likewise had received certain information, that General Brock, with all the regulars and militia of Upper Canada, was proceeding to Malden; and that the road I had opened through the wilderness, from Ohio, was filled with hostile savages, and that no supplies could be obtained for the army through that communication;—That, under these circumstances, I considered that it was my duty to re-cross the river, with the principal part of my forces, and attempt to open the only communication I could now possibly have with my country;—That on the 8th of August, I re-crossed the river to Detroit, and on the same day made a detachment of all the regulars, and part of the Ohio militia, amounting to 600, under the command of Colonel Miller, with orders to proceed to the river Raisin, for the purpose of opening that communication; that on his way to that station, he was attacked, near Brownstown, by the regulars, militia, and savages, from Malden, and that, after the loss of between eighty and ninety men on our part, the enemy was compelled to retreat; that, as it was the opinion of Colonel Miller, that this detachment could not proceed to the river Raisin, without a reinforcement of 150 or 200 men, I thought proper to order him back to Detroit, especially as the troops had been out in a violent storm, were greatly fatigued, and it was necessary to remove, and provide for the wounded;—That on the 14th of August, not having received information, of the arrival of General Brock, and the necessity of opening the communication, for the purpose of obtaining supplies, becoming more urgent, I made another detachment, of the effective men of Colonels McArthur and Cass' regiments, commanded by the two Colonels, for the purpose: that as soon as I received information of the arrival of General Brock, with the forces, from the eastern part of the

province, I immediately sent expresses, with orders to McArthur and Cass to return to Detroit. That when General Brock, landed at the Spring Wells, three miles below Detroit, on the morning of the 16th of August, I had received no information from them, and must have supposed they were at the river Raisin, about fifty miles from Detroit, the route they were ordered to march. And I pledge myself, fellow citizens, to prove to the satisfaction of every unprejudiced mind, that on the morning of the 16th, when General Brock landed, the provisions were exhausted, that there was no possibility of obtaining a supply from any quarter whatever, and that his effective force was much more than twice my number. That my communication was entirely cut off, both by land and water ; that a part of the Michigan militia deserted, and joined General Brock's standard, as soon as he landed ; that the savages were let loose on the inhabitants, whom it was impossible for me to protect ; and that even a victory against his regulars and militia, that morning, would have been only a useless waste of blood—that I could not have conquered his savages in the wilderness, or his navy on the Lake, and consequently could not have opened my communication ; that, under the circumstances my army was placed by the orders of the government, it could no more exist, than the human arm can exist when cut off from the body ; and that the measures I adopted were necessary, from my situation, and dictated by the highest sense of duty ; that I was forced into this situation, by the orders of the government, and every avenue to it was closed by the enemy, in such a manner that there was not a possibility of escaping. And here I shall wish to be distinctly understood ; I have said, that the order which I received from the government to march to Detroit, after the declaration of war, and when Lake Erie was in possession of the enemy's naval force, was contrary to all military experience, and one fatal cause of the disasters of the campaign. It was the case, as the result has proved. Had the orders however of the government been obeyed by General Dearborn, the result probably would have been very different. I shall show, that he was repeatedly ordered, by the letters of the Secretary of War, and by the command of the President, immediately after the declaration of war, to assemble the forces under his command on the Niagara River, to attack the enemy's posts in that part of the prov-

ince of Upper Canada, and co-operate with the forces under my command; that during that time he never suffered a man to enter the enemy's country, that he neglected to obey the positive commands of his government; and without any orders, agreed to an armistice, or suspension of hostilities, with Sir George Provost, in which my army was not included; which will be shown, enabled General Brock, with all the forces of Upper Canada, and indeed a large reinforcement from Montreal, to proceed to Malden, and attack me: that he established a peace on the Niagara frontier, and it became only necessary for the enemy to leave at their forts in that quarter a few invalids to guard their barracks, &c. And I shall further show, that after General Dearborn, the commanding General of the armies, had thus neglected to obey the orders of the government, and had been the great cause of the disasters of the campaign, he was appointed the President of the Court Martial for my trial; and that, although the administration employed, at your expense, two of the first counsellors in our country, Mr. Dallas, and Mr. Van Buren, to assist the Judge Advocate in the posecution, the Court would not suffer me to employ any counsel at my own expense, to open their lips in the Court; and the *opinions* of officers were admitted to prove entire charges and specifications against me. That the officers, who were selected by the administration to give their opinions respecting my conduct, and to testify against me, had been promoted, after the capitulation, from Lieutenant Colonels in the militia, to the rank of Generals in the regular army, and others of inferior rank on a similar scale: that the most outrageous measures were adopted to excite your prejudices against me; that the officers who appeared as witnesses, were applauded in the public Newspapers for the manner in which they testified, and pamphlets were printed and hawked for sale, at the very door of the Capitol where I was tried, filled with the most scandalous falsehoods. That I was accused by the administration of capital crimes for acts, which I shall prove by the letters of the Secretary of War, the President had before fully approved; and that the proclamation I issued to the Canadians was by order of the President: that as soon as it was issued it was sent to him; and after he received it, I shall produce letters, written by the Secretary of War, by his order, to show that all my conduct, operations, and arrange-

ments, were not only approved by him, but viewed with the highest satisfaction : that notwithstanding this unqualified approbation of the proclamation by the President, the Plenipotentiaries at the treaty of Ghent, without any instructions from the administration on that subject, declared to the British Plenipotentiaries, and consequently to the British nation and to the world, that it was unauthorized, and disapproved by the Government : that in an interview with the Hon. John Quincy Adams, one of the Plenipotentiaries, in answer to my inquiry, on what ground that declaration was made, he answered, that they had no particular instructions to make the declaration, that they received the information from Mr. Gallatin, that he wrote the paper which contained it, and he being one of the Plenipotentiaries, the others were induced to give it their signatures.

I have given a very general sketch of the subjects of the following memoirs. The facts stated will be proved by the best evidence of which the nature of the case will admit ; and principally by the records of the government itself. After you are possessed of the facts and evidence, I shall cheerfully submit the question to your candid judgment. It is difficult always to form a correct opinion, in our own case. I can however declare with safety, that if I have committed errours, they were errours of the head, and not of the heart.

No. III.

As a desire for military fame and motives of ambition, have been imputed to me, I consider it a duty which I owe both to myself and to you, to explain the true reasons, which finally, and very reluctantly induced me to accept an appointment in the army, and to satisfy you that the imputations are without any foundation. It has likewise been represented, and is believed by many, that I urged on the government the expediency of a declaration of war against Great Britain, at the time of my military appointment, and made representations that the Canadians were dissatisfied with their government, were desirous of independence, would join the American standard, whenever it was displayed in their territory, and that the conquest of those provinces might be easily effected with a small force. So

far from ever expressing or entertaining opinions of this kind, I shall shew you, from the records of the government, the representations which I made, both before and after I accepted a military appointment; these communications must be considered the best evidence the nature of the case will admit, of the views I entertained. Before I present them to you, I will ask your attention to the particular reasons which induced me to accept a military appointment before the declaration of war, in June 1812.

Being at Washington in February 1812, and being at that time governour of the Territory of Michigan, and accounts having been received from that section of the country, that the Indians were becoming hostile to the defenceless inhabitants of that exposed frontier, it was natural for me to feel a solicitude for their safety. I urged on the officers of the administration, the expediency of providing a force for their protection. At this time, in consequence of the differences which existed between our government and Great Britain, Congress had thought it expedient to augment the army, and was taking measures for the purpose. These measures were well known to the officers who administered the government in the provinces of the Canadas, and the causes which produced them. In the event of a war with England, they were satisfied that the invasion of those provinces would be the first object. The numerous, and powerful tribes of savages, which not only inhabited that country, but also the northern and western territory of the United States, were considered as the allies and friends of England. On them she depended for assistance, whenever her dominions were invaded. The strong indications of war, which were then apparent, induced his Brittannic Majesty's officers to adopt measures of precaution and safety against the impending storm. Messages were therefore sent to the different tribes, informing them of the warlike preparations which were making by the United States, of the events which probably would soon take place, and inviting them to join their standard in such a result. These messages were accompanied with unusual quantities of presents, consisting of munitions of war, clothing, and ornaments, gratifying to their pride and vanity. The British nation, ever since her possession of the Canadas, has expended immense sums of money in presents, not only to the Indians, who inhabit her prov-

inces, but also to those who reside within the territories of the United States. On this occasion every effort was made to prepare them for the approaching crisis.

Of all employments, war is the most grateful to a savage. The prospect of it did not fail to produce the excitement, intended, by the means made use of by the British agents. It became apparent, from the manner they assembled to celebrate their war feasts, and from the hostile dispositions they manifested towards the inhabitants of the frontier, and particularly towards those of the territory of Michigan, which borders several hundred miles on the Canadas, and is only separated by an imaginary line, in the middle of the rivers and lakes. The hostile indications, which were frequently accompanied with acts of cruelty and murder, excited alarm among the inhabitants, and were represented both by the civil authorities and commanding officers of the garrisons, as foreboding evils, against which it was necessary to guard. The exposed and dangerous situation of that section of the country, being thus made known to the administration, measures were promptly adopted for its safety. The governor of the state of Ohio, was called on, by the President of the United States, to detach 1200 militia, and prepare them for actual service. These militia were to be joined by the 4th U. S. Regiment, then at Post St. Vincennes.

After these arrangements were made, the Secretary of War informed me, that it was the desire of the President, that I should accept the appointment of a Brigadier General, in the army, and take the command of these forces, and march them to Detroit, the place of their destination. I observed to the Secretary, that I was not desirous of any military appointment, and declined it in the most unqualified manner. Another officer was designated for this command, and ordered to Washington to receive his instructions. On his arrival, he became disqualified by sickness. The proposition was again made to me, and the necessity of a force in the country, for the purposes before mentioned, being more urgent, I informed the Secretary, that I was going to my government at Detroit, and I would accept any military appointment, either the rank of Lieutenant Colonel, Colonel, or Brigadier General, which would give me the command of those forces, and lead them through the wilderness to their place of destination. In consequence of this

consent, I was immediately nominated and appointed a Brigadier General. I accepted the appointment, with great reluctance, and from no other motive and with no other view, than to afford my aid in the protection of the frontier inhabitants, and those of the Territory of Michigan against the savages.

As proof of the principal facts here stated in relation to my appointment as a Brigadier General in the army, I will state the testimony of his excellency Governour Eustis, who was then Secretary of the Department of War;—the whole of which may be seen in Lieut. Col. Forbes's report of my trial, pages 3, 4, and 5, of the appendix.

The part relating to the facts referred to, is as follows:—

"The latter part of February 1812, information had been received from Mr. Atwater, then Secretary of the Territory of Michigan, and acting as Govornour, that there were strong appearances of hostility among the Indians, and that the territory was in danger. That Gen. Hull urged on him, as Secretary of War, the expediency and necessity of ordering a force there, for the protection of Detroit, the territory, and the northern frontier. That he declined in the first instance accepting the office of Brigadier General. That Col. Kingsbury was then ordered to Washington, for the purpose of proceeding to the state of Ohio to take the command of this force, and on account of bodily indisposition, was not ordered on the command—and afterwards, when he (Gen. Hull,) was appointed, it was not solicited by him—and that he manifested great anxiety for the safety of the northern frontier, and the Territory of Michigan."

I have made this statement, and produced this evidence, for no other purpose, than to satisfy you. that I did not accept this appointment from the motives which have been unjustly imputed to me.

Having for seven years been Governour of the territory, and being then the Governour, it was impossible for me to feel indifferent to the safety of its inhabitants. I consented therefore to accept any military appointment, which the government should think proper to give me, for this purpose. And it was distinctly understood, that this appointment was not incompatible with my office as Governour, and that office was to be retained by me. As evidence that this was the intention of the

administration, I received orders, on my arrival in the territory, to perform my civil duties, in the same manner, as if no such appointment had been made--as a further evidence, that this was the intention, I never asked for, or received a military commission, in consequence of the appointment. And further, it was my intention, when the object of safety to the inhabitants was accomplished, and my military duties in any degree interfered with my duties as Governour, to have resigned the military appointment. I have been thus particular, to satisfy you, my fellow citizens, what were my motives in accepting a military appointment,—and to your candid judgment I appeal, whether they were laudable.

I believed it to be my duty, to make use of every exertion in my power, for the protection of a people, with whom I was so nearly connected, against the dangers with which they were threatened.

As the differences, which existed between the United States, and Great Britain had not been settled by negociation, and as there appeared indications of war, in my next number, I shall state the views I communicated to the government, before I left Washington, in such an event.

No. IV.

In my former number, I have explained what were the objects of the government, in detaching the Ohio militia in 1812, before war was declared, and what were my motives in taking the command of them; viz. the protection of the inhabitants on the frontier of our country against the savages.

I shall now endeavour to demonstrate, that it was neither the expectation of the Government, nor my expectation, at the time I accepted the command, that these forces, in the event of war with Great Britain, would have been employed in the invasion of Upper Canada, *without a sufficient naval force, to have commanded Lake Erie*, and to have preserved the water communication from the states of New-York, Pennsylvania, and Ohio, which border on the south and east part of said lake; and likewise, without the co-operation of other forces to the same object.

As early as the 3d of April, 1809, being then Governour of the Territory of Michigan, I addressed an official letter to the Secretary of the department of war, in relation to the security and defence of the frontier settlement of our country in which, among other things, I observed, "I would suggest for consideration the expediency of building some armed vessels on Lake Erie, for the purpose of preserving the communication; consider you have three military posts, to the north and west of these waters and no other communication with them." The 15th of June, 1811, about a year before the declaration of war, against Great Britain, I addressed another letter to the government, through the Secretary, from which the following is extracted; "From the present state of our foreign relations, particularly with England, I am induced to believe, there is little prospect of a continuance of peace. In the event of a war with England, this part of the United States, (meaning the Michigan Territory) will be particularly situated. The British land forces at Amherstburg and St. Joseph's, are about equal to those of the United States, at this place and Michilimackinack. The population of Upper Canada is more than twenty to one compared to this territory. That province contains about one hundred thousand inhabitants, while our population does not amount to five thousand. A wilderness of near two hundred miles separates this settlement from any of the states. Besides, the Indiana Territory and states of Ohio and Kentucky are thinly inhabited, have extensive frontiers, and their force will be necessary for their own defence. With respect to the Indians, their situation and habits are such, that little dependence can be placed on them. At present they appear friendly, and was I to calculate on the profession of their chiefs, I should be satisfied that they would not become hostile. Their first passion, however, is war. The policy of the British government is to consider them their allies, and in the event of war, to invite them to join their standard. The policy of the American government has been to advise them, in the event of war, to remain quiet at their villages, and take no part in quarrels, in which they have no interest. Many of their old Sachems and Chiefs would advise to his line of conduct. Their authority, however, over the warriors would not restrain them. They would not listen to their advice. An Indian is hardly considered as a man, until he has been engaged in war, and can show trophies. This first, and

most ardent of all their passions, will be excited by presents, most gratifying to their pride and vanity. Unless strong measures are taken to prevent it, we may consider beyond all doubt, they will be influenced to follow the advice of their British Father. This then appears to be the plain state of the case; the British have a regular force, equal to ours. The province of Upper Canada has on its rolls, a militia of twenty to one against us. In addition to this, there can be little doubt, but a large proportion of the savages will join them; what then will be the situation of this part of the country? Separated from the states by an extensive wilderness, which will be filled with savages, to prevent any succour, our water communications entirely obstructed by the British armed vessels on Lake Erie, we shall have no other resource for defence, but the small garrisons, and feeble population of the territory. Under these circumstances, it is easy to foresee what will be the fate of this country.

"It is a principle in nature, that the lesser force must give way to the greater. Since my acquaintance with the situation of this country, I have been of the opinion that the government did not sufficiently estimate its value and importance. After the revolution, and after it was ceded to us by treaty, the blood and treasure of our country, were expended in a savage war to obtain it. The post at this place, is the key of the northern country. By holding it the Indians are kept in check, and peace has been preserved with them to the present time. If we were once deprived of it, the northern Indians would have no where to look, but to the British government in Upper Canada. They would then be entirely influenced by their councils. It would be easy for them, aided by the councils of the British agents, to commit depredations on the scattered frontier settlements of Ohio, Kentucky, Indiana, &c. They would be collected from the most distant parts of their villages, where the English factors have an intercourse with them, and would become numerous. Under these circumstances, if there is a prospect of war with England, what measures are most expedient? In my mind, there can be no doubt. *Prepare a naval force on Lake Erie superiour to the British, and sufficient to preserve your communication.*"

I have transcribed so much of this letter, the original of which may be found on the files of the war office, principally to show,

that I considered a naval force on Lake Erie, superiour to the British, and sufficient to preserve the communication, in the event of war, essential, even for the preservation of the country; and likewise to show how strongly I urged it on the government, a year before war was declared.

No. V.

On the sixth of March, 1812, about a month before I was appointed a General in the army, I addressed another letter to the government, through the Secretary of the department of war, in which I stated the situation of the inhabitants on our frontier settlements, and particularly those in the Territory of Michigan, in which I pointed out the expediency of ordering a force for their protection, and building a navy on Lake Erie sufficient to preserve the communication. The following is an extract from this letter.

"If we cannot command the ocean, we can command the inland lakes of our country. I have always been of the opinion, that we ought to have built as many armed vessels on the lakes, as would have commanded them; we have more interest in them, than the British nation, and can build vessels with more convenience."

The whole of this letter is recited in my defence, which has been published, and it is certified to be correct by the department of war.

After my appointment as a Brigadier General in the army, and before I left Washington to take the command of the north western army, I presented to the administration a letter containing distinctly my views, with respect to the destination, and operations of the forces placed under my orders, both in time of peace with Great Britain, and likewise in the event of war with that nation.

The circumstances of this communication, with the documents in proof of them, are fully related in my defence before the Court Martial, from page 33, to page 38, inclusive. In this letter I repeated the opinions, I had before given, that the force entrusted to my command, in time of peace with England, was sufficient for the protection of the northern frontier against the

savages; and likewise, that Detroit, or a position on that river, or the west end of Lake Erie, was a suitable station for that object; and for this obvious reason, that all the necessary supplies could be easily furnished through the communication of the lake. But in the event of war, I stated in the most explicit and strongest terms the necessity of having a naval force, superiour to the enemy on the lakes;—and that without it, and unless the army I was to command, was strengthened by additions to its numbers; and unless it was followed by detachments, to keep open the communication, and insure it supplies from Ohio; and unless it was supported by co-operations from other quarters, it could not be able to maintain itself at Detroit, much less carry on offensive operations in the enemy's country.

That I wished it farther clearly to be understood by the government, that in the event of war with England, I did not consider this force in any degree adequate, either to the invasion of Upper Canada, or for the defence of our own territories. That it was formed almost entirely of militia, undisciplined, and who had never seen any service. I then described the situation of the country, and observed, that it would be difficult, if not impossible, to send a force, which would be sufficient, either for invasion or even defence, in the event of war without the privilege of a communication through Lake Erie. That as soon as a declaration of war should be made, that communication would be entirely obstructed. That in accepting the command, and leading an army through that wilderness, it was under the full expectation that war would not be declared, until such a naval force was provided, as would preserve that communication. It was farther stated that from the conversation I had with the President of the U. S. and the Secretary of the Navy, from the circumstance of a navy agent having been appointed on Lake Erie, and Capt. Stewart, of the navy, having been ordered to Washington, for the express purpose of giving him the command on the lakes, I had the fullest confidence, that before a declaration of war was made, measures would be taken for the security of that communication. That under these circumstances, I believed the government would consider it a measure, dictated by true policy, and indeed indispensably necessary—as it was not at that time accomplished, and as every thing is uncertain, until it is carried into effect, and as I knew I was to be

placed in a most critical situation, I observed, if the government should adopt a different policy, and declare war, leaving to the British the command of the lakes, it would become indispensably necessary, as the next best measure, immediately on its declaration to make an invasion of Upper Canada, by crossing the Niagra River, with a large army, sufficient to take possession of the whole province, and likewise with large detachments, to reinforce the army I commanded, in such a manner, as to preserve the communication by land to the state of Ohio. By this means the army at Detroit, might co-operate with the main army, which crossed the Niagara River, and the whole province be subdued. In such an event, the British naval force on Lake Erie, would fall into our possession, as it would have no harbours, and no means of being furnished with necessary supplies.

That, if in the event of war, a naval force should not be provided, or an invasion of Canada should not be made, in the manner I have stated, by an army from Niagara, the army I commanded would be led into a situation, from which there would be no escape, and that whole country, with all our military posts, would fall into the hands of the enemy. That his regular force, militia, and savages, with the facilities of the water communication, for rapid movements, and the transportation of necessary supplies, would be fully equal to effect this object.

No. VI.

In my former number I have mentioned, that from a conversation I had with the President of the United States, and the Secretary of the Navy; from the circumstance of a Navy Agent having been appointed on Lake Erie, and Commodore Stewart of the Navy, having been ordered to Washington, for the express purpose of giving him the command on the lakes, I had the fullest reason to believe, that before a declaration of War, was made, measures would have been taken for the security of that communication.

That there may be no question with respect to these facts, I will now state the evidence on which they are founded. Commodore Stewart, in his testimony, on my trial before the Court

Martial, declared, that he received an order from the Secretary of the Navy to repair to Washington, as it was contemplated by the Government, to trust him with an important command; that in compliance with the order, he arrived in Washington in the beginning of April, and at his first interview with the Secretary, he was informed that it was contemplated to give him the command on the lakes; that the Secretary observed, that a naval force superiour to the British, on the lakes, had been strongly urged by General Hull, as essential, and as a certain means of ensuring success to the army. He then goes on to state why he declined the command, &c.

General Peter B. Porter, in his testimony on my trial, said, about the last of March, or beginning of April, 1812, he was at the office of the Secretary of War, with General Hull, after he had been appointed a Brigadier General, and about the time he was to march to Detroit; that he was frequently with the Heads of Departments, and had conversations, as to the operations of the army, in case war should be declared, as was in contemplation. He said he recollected that General Hull, recommended that a navy should be formed on the lakes, to have a superiority over the British in case of war. General Porter further states, that a Navy Agent was appointed for lake Erie, and he was twice at the President's, with the General, when the subject was talked over.

From the evidence contained in this and the foregoing letters, I feel a confidence that every candid reader will be satisfied, that when I accepted the command of the Ohio militia, and the 4th regiment, the motive by which I was influenced was for the protection of the northern frontiers, and particularly the Territory of Michigan, of which I was Governour, against the savages; and that I had not the most distant idea, in the event of war, with that force, of making an invasion of Upper Canada, while the enemy commanded the lakes, and while no army was provided, with which I might co-operate. Before I proceed to a relation of the march through the wilderness, and of the operations of the army after I took the command, I shall present and consider one other document, which appears to me singular in its nature, and very important, on account of the high authority from whence it is derived.

No. VII.

The singular, and important document, to which I alluded in my former letter, is the Message of the President of the United States to Congress, after the termination of the campaign, of which in my future letters, it is my intention to give you the history. Although this is not in the order of time, with the subjects, which have been considered, yet as it gives information of the motives of the government, with respect to the objects of my command, and has a strong bearing on the considerations, which I have already presented, it appears to be the proper place for its introduction.

In this Message, it is stated, "That the force sent to Detroit, was with a general view to the security of the Michigan Territory; and in the event of war, to such operations in the uppermost Canada, as would intercept the hostile influence of Great Britain over the savages; obtain the command of the lakes on which that part of Canada borders; and maintain co-operating relations with such forces as might be most conveniently employed against other parts. Our expectation of gaining the command of the lake, by the invasion of Canada, from Detroit, having been disappointed, measures were instantly taken to provide on them a naval force superiour to that of the enemy."

From this message, it appears, there were four objects for which the forces were sent to Detroit under my command.

1. With a general view to the security of the Michigan Territory.

2. In the event of war, to make such operations in uppermost Canada, as would intercept the hostile influence of Great Britain over the savages.

3. To obtain the command of the lake, on which that part of Canada borders.

4. To co-operate with other forces in that quarter.

The first object declared by the President, is what I have stated, the security of the Michigan Territory against the Indians, as we then had no other enemy.

Being at that time the Governour of the territory, it is natural to suppose, under the circumstances which existed with respect to the savages, that I felt a strong solicitude for its safety. It was indeed that motive alone, which induced me to accept the command. The troops being composed principally of undisci-

plined militia, and without artillery, is conclusive evidence, that, it was not an army designed for invasion and conquest.

Indeed, it was a time of peace, and there was no danger from any other quarter than from the lawless savages. No power but Congress had an authority to declare war, and the President had no power to order a militia force for any other purpose than the safety of the country, in the manner which has been mentioned. That I had no reason to expect there was any other object than the security of the territory, is evident, from every communication I made to the government, both previously to, and after accepting the command. In the event of war, it was perfectly understood to be my opinion, that the command of the lakes was not only essential for a successful invasion of the enemy's country but for the very existence of the army I commanded.

In the next place, the President informed Congress, that in the event of war it was expected the forces under my command would make such operations in uppermost Canada, as would intercept the hostile influence of Great Britain over the savages. It was perfectly understood, in the event of war, that the savages who resided in our territory were not to be employed. In that event I was directed to advise them to remain quiet at their villages, and take no part in a contest in which they had no interest, and to assure them of protection and safety. This was humane, and, had it been practicable, would have been wise policy. For a number of years, I had not only been Governour of the territory of Michigan, but superintendant of Indian affairs. The duties of this office rendered a constant intercourse with them necessary. I had become acquainted with their habits, and their ruling passions. From the knowledge which my situation had thus enabled me to acquire of their characters, I well knew that as soon as the trumpet of war was sounded, they would not follow this pacific advice, and remain indifferent spectators. By the documents which I have presented, and to which I have referred in these numbers, it will be manifest, that I repeatedly, and in the most explicit terms, gave this opinion to the government. Notwithstanding this opinion, I did every thing in my power, in conformity to my instructions, to induce them to remain neutral. Before and after the declaration of war, I sent messages, with interpreters to the different villages,

explaining the views of the government, and enforcing them with all the reasons, I was capable of suggesting. I likewise collected the chiefs in council, repeated the views of the government, and urged them to restrain their warriours, and induce them to follow the advice of their great Father, the President of the United States. This was all I was authorized to do.

Many who joined the British standard would have joined ours if the government would have accepted their services.

There was no probability of preventing an intercourse between them and the British agents.—Upper Canada is separated from the United States only by an imaginary line, running through the lakes and rivers, several hundred miles, and the principal part of the distance on the shores a wilderness. It was well known to the government that the British had a constant intercourse with those who resided in our territory, ever since it became a part of the United States; that at an immense expense, they furnished them with presents, consisting of arms, ammunition, and clothing, and considered them as their allies and friends.

To have guarded this immense wilderness, and prevented the hostile influence of the British, was impossible with the army I commanded.

In my next number I shall consider the other objects for which the President informed Congress, the forces were sent to Detroit, under my command.

No. VIII.

The next object of my command, as stated by the President, was, "To obtain the command of the lake on which that part of Canada borders."

By this description the President must have meant lake Erie. There are two important facts so well known, that it is unnecessary to produce any evidence to prove them. One is, that in the year 1812, when war was declared, Great Britain had four or five vessels of war on this lake, some of them carrying twenty cannon, besides a number of gun-boats, all completely armed and manned. The other is, that the United States had not a single armed vessel, not even a gun-boat or canoe. It was not even

intimated to me, in any instruction that I received from the government, that this was one of the objects of my command. The first knowledge I ever had of it, was contained in this message to Congress.

I cannot to the present moment conceive, notwithstanding the high authority, and the solemn manner in which it was communicated, on what grounds such an expectation was founded. It certainly must have been impossible to have obtained the command of the lake, without in some way destroying the British naval force, which was established on it. *In what possible way could the Ohio militia have effected this object?*

Before I left Washington, it will be seen how repeatedly and earnestly I recommended the necessity of constructing a navy on this lake, superiour to that of the enemy, in the event of war. If that object should be abandoned, and the government should not think proper to listen to this advice, I then suggested, as the next most expedient measure, immediately on the declaration of war, to invade Upper Canada, with a powerful army, by crossing the Niagara river, with which the troops I commanded might co-operate, and by this means take possession of the whole province.

Thus being in the possession of all the harbours on the lake, the navy would be obliged to surrender for the want of necessary supplies. This measure not being adopted, and not even an armed boat of any description being provided on the lake, I repeat the question, on what grounds could this expectation have been formed? That the President was serious in making this communication, and at length was satisfied that the opinion I had so often given was correct, clearly appears; for in the next paragraph of the message he says, "Our expectation of gaining the command of the lake, by the invasion of Canada from Detroit, having been disappointed, measures were instantly taken to provide a naval force superiour to that of the enemy!"

I do think this subject is so plain, that no further commentaries on it are necessary; and that no blame can attach to me for not fulfilling what Mr. Madison, then President, says was the expectation of the government, viz. taking possession of lake Erie, with no other force than a few Ohio militia, when that lake was commanded by a naval armament, such as I have described.

No. IX.

In addition to all the other evidence, that it was neither the expectation of the government nor my expectation, that the forces sent to Detroit under my command were sufficient for the invasion of Canada, I here present the declaration of the President, in his message to Congress, to which I have referred; *that they were sent, in the event of war, to co-operate with other forces in that quarter.*

This appears to be conclusive evidence, that in the event of war, the government did not consider the forces under my command sufficient for this object.

The President, in this message, did not describe the nature of the forces nor the manner they were to be employed. The reason undoubtedly was, that none of any description were employed. From the urgency of such provision, however, and the arrangements which have since been made, for the construction of a navy on Lake Erie, and for the organization of an army it must be evident, that he referred to a naval force on that lake and a powerful army on the eastern border of Upper Canada, which he has since become convinced, it was indispensable to provide, to co-operate with the army at Detroit, as the only means to a successful invasion of Canada.

Had such a navy been prepared, and such an army been employed in the manner I have stated, there is no question but the conquest of that province would have easily been effected during that campaign. Had, indeed, either of these measures been carried into effect, the results of our military operations would, in all probability, have been successful and prosperous.

Before I left Washington, to take command of the forces, as I have before observed, a navy agent had been appointed on the lake, and a distinguished naval officer had been ordered to repair to the government, to receive his instructions, with respect to what was considered an important command on the lakes. Every member of the administration appeared to be impressed with the necessity of securing that communication, in the event of war; General Dearborn, the senior officer of the army, was at Washington, assisting in organizing a large army, to be ready for service, should a declaration of war become necessary. Besides the assurances I received from the administration it resulted from our relative situation, and the nature of things, that in

the event of war, the invasion of Canada would be the first object. For what other purpose could so large an army have been provided? There was no other British territory within our reach, and no other British forces in a situation that we could approach. Besides, by the conquest of Upper Canada, we should have had the controul of the Indians, and perfect security would have been given to our extensive and exposed frontiers, and have prevented the miseries of savage barbarity. As these memoirs are written, merely for the purpose that the truth may be known, I shall make no apology, either for prolixity or repetition. I shall not, therefore, hesitate to repeat, that from the documents and circumstances which have been produced, the following facts have been fully substantiated :—

That in April, 1812, when I accepted the command of the forces destined for Detroit, it was understood, both by the government and myself, that, it being a time of peace, these forces were designed to protect the northern frontier against the depredations of the savages, and particularly the territory of Michigan, of which I was Governour; and in the event of war, to have co-operated with both naval and land forces in the invasion of Upper Canada.

In the future numbers, I shall give an account of the operations of the army, after I took the command; how I was disappointed in my expectations; and how cruelly, both the army and myself have been sacrificed by the government, and General Dearborn, the commanding General.

No. X.

In leaving Washington, in April, 1812, to take the command of the forces, assembled in the state of Ohio, I felt a very deep interest in the object of my mission. The consideration that I was clothed with the authority, and furnished with the means of affording safety and security to the frontier inhabitants of the country; and particularly to those of the territory of Michigan, of which I was governour, was soothing to my feelings, and animating to my exertions. Although about thirty years had then elapsed, since my sword had laid useless in its scabbard, and time had necessarily enfeebled my strength and constitution, yet

it was impossible for me to see a country, in which, from my situation, I was so particularly interested, exposed to the fury of the savages, without raising an arm for its safety. Convinced that the forces entrusted to my command were sufficient for the protection of the frontier settlements, and the security of the territory while we were at peace with Great Britain; and knowing that I had communicated what measures in my opinion, would be indispensably necessary in the event of war, which communications had been received as official documents, and approved by the government, and feeling a generous confidence in the justice and honour of the administration, I had little anxiety with respect to any consequences which might have attended my command.

If it were to be my fortune to protect the defenceless inhabitants of our country, against the cruelty of savages, and prosperity was to attend the exertions of the army, the satisfaction of having promoted the cause of humanity, would have been an ample reward. But if, after honestly discharging my duty, in the best manner I was capable, misfortune was to be my lot, I believed that a generous government, and a generous people would at least have shielded me from censure and reproach. At that time, indeed, I considered there was little or no hazard. It was a time of peace, with England, and while that remained, there was no danger excepting from the savages. Some excitement then existed, through the influence of the British Agents, in preparing them for events which they anticipated might take place.

In the event of war I considered that such arrangements would have been made, as would have enabled the army I commanded to have operated with success against the enemy. As the government continued me in the command of the north western army, after the declaration of war, I had a right to believe, that such measures would have been adopted, as I had stated, were deemed by me, essential to success. The measures to which I alluded in the event of war, I have mentioned were a navy on lake Erie, sufficient to preserve that communication, and an army of sufficient strength, in co-operation with the one I commanded, to make a conquest of Upper Canada. In all these communications, I gave it as my opinion, that unless we had the benefit of this co-operation, the posts of Detroit, Michil-

limackinack, and Chicago, would inevitably fall into the hands of the enemy.

How I was disappointed in my expectations; how I was deceived by the government; how, after the declaration of war, I was ordered into a situation, which it was impossible for me to sustain, and from which there was no retreat; how the officers of the administration shamefully neglected to redeem the pledge they had given me; and how General Dearborn the senior officer of the army, and afterwards the President of the Court Martial, neglected every duty, incident to his command, and adopted measures, which proved the inevitable destruction of the army I commanded, will be the subjects of my future numbers.

Before, however, I close this, I will make one further observation. If, after the declaration of war, the President and other officers of the administration, who directed the military operations, had changed their opinions, and believed that twelve hundred Ohio militia, and three hundred regular troops, were sufficient without any naval force, to have taken possession of lake Erie, and without any reinforcements, and without any other army, with which they might have co-operated, to have invaded and conquered the province of Upper Canada, they ought to have appointed an officer to that command, *of the same opinions*, and not to have made *one* responsible, who had repeatedly, decidedly, and in an official manner, declared, that in the event of war, without the command of the lake, and without a powerful army for co-operation, the most disastrous consequences would inevably follow.

That these consequences did follow, in the manner I had predicted, is well known, and that under the circumstances, it was not possible for me to have prevented them; and that they were occasioned by the neglect of the government, and the misconduct of General Dearborn will appear manifest, from the future statements I shall make, and the documents and other evidence I shall produce.

By the documents and evidence which have already been shown, the objects of the government in detaching the forces entrusted to my command, must be distinctly understood. I have produced my communications to the government explanatory of my own views: and I likewise have exhibited the Message of the President, who was at the head of the administration, to prove the views of the government. In my communications,

both before and after I was appointed, and accepted the command of these forces, I stated distinctly my views, that in time of peace with Great Britain, the forces were competent to the protection of the frontiers of our country against the savages; but in the event of war without the co-operation of a naval force on Lake Erie, and without the co-operation of an army from Niagara, they were not competent to the invasion of Canada, and not adequate to the protection of that part of our territory.

And it further appears, by the President's Message, that the forces were sent to Detroit with a view to the security of the Michigan territory against the Indians in time of peace, and in the event of war to intercept the hostile influence of the British over the savages; to obtain the command of the lake on which that part of Canada borders; and to co-operate with other forces in that quarter.

Upper Canada borders on lake Erie and the navigable lakes and rivers more than four hundred miles, and, on what grounds the expectation of the administration were founded, that with the forces I commanded I should be able to take the command of the lake, when commanded by a strong naval force of the enemy; and without any co-operation of any other forces, from any quarter, are questions which will be hereafter considered. This subject I wish distinctly to be understood, and I must be excused if I make use of repetition, in the explanation of it.

I have offered these documents to shew the grounds I had to expect the co-operation of other forces; and, that the administration became convinced that a naval force was necessary, and one was immediately ordered, as soon as it was found that the possession of the lake could not be obtained by the *militia* under my command.

By lessons of experience, since that period, we have been taught how important the command of those waters are to successful operations against the country.

General Harrison, with a force vastly superiour to the one I commanded, was not able, after more than a year, to approach within fifty miles of Malden, with the assistance of a large force at Niagara to co-operate with him; and was not able to make any impression on the country, until after the command of the lake was obtained, by Commodore Perry's glorious naval victory. As soon as that was obtained, the enemy immediately

abandoned Malden, and the army took possession of the country. The territory situated on these navigable waters is so insulated, that, the power which commands them will necessarily command the country.

No. XI.

On the 10th of May, I arrived at Cincinnati, in the state of Ohio. Here I met Governour Meigs, who had made great exertions in collecting the 1200 militia, which had been ordered by the President—Their place of rendezvous was Dayton. Although the officers and soldiers appeared to be animated with zeal, yet in reviewing them, and inspecting their equipments, they were found without discipline, and destitute of arms and clothing, necessary for military operations. Their arms were totally unfit for use, the leather which covered their cartouch boxes was rotten and no better security to the cartridges than brown paper; many of the men were destitute of blankets, and other necessary clothing; no armourers were provided to repair the arms; no means had been adopted to furnish clothing; no public stores to resort to, either for good arms, or suitable clothing; and no powder in any of the magazines, fit for use—and what is more extraordinary, no contract, or any measures adopted, to supply these troops with the necessary article of provisions, during their march through a wilderness of more than two hundred miles, until they arrived at Detroit, the place of their destination. On my own responsibility, I sent to powder mills in Kentucky, and purchased powder, collected a few blankets, and other necessary articles of clothing from the inhabitants of Ohio, and employed private armourers, at Cincinnati, and Dayton, to repair the arms, &c.

These facts have been stated, to shew the neglect of the government in equiping and providing for these troops, which in their situation could not be considered as a force adequate to offensive operations, and to the conquest of Canada.

After the junction of the 4th United States regiment, which consisted of 300 effective men, with the 1200 militia at Urbanna, I commenced the march, early in June from that place, a fron-

tier town in the state of Ohio, for Detroit, the distance of more than two hundred miles.

After the disposition was made for the march, I was informed that a part of the militia, refused to obey the order.

In the first place, I directed their own officers, to give them positive orders to march, and inform them, if they did not obey, the 4th United States regiment would be sent to compel them. They still refused, and a part of the 4th regiment was marched to their station, and they obeyed. This fact is proved by the testimony of Col. Miller of that regiment, and I have stated it, to shew, when I first took the command of these troops, the want of discipline, and the mutinous spirit which prevailed,—and that the authority of their officers, was not sufficient to command their obedience, and that nothing but the bayonets of the 4th regiment could have the effect.

It is not necessary to describe the labours and fatigues, of the army in the march. It is sufficient to know, that the country was a wilderness, and the difficulties in marching an army through it will be apparent It is, however, a justice due to the officers and soldiers to say, that all the labours of opening a road, building bridges and causeways, and indeed all the fatigues, incident to such a march, were borne with patience, and every possible exertion was made to effect the object of the march. On the rout the army built four blockhouses, which were garrisoned by the invalids, who were unable to accompany the army. The object in building these blockhouses, was the convenience of reenforcements, and the security of convoys.

On the 2d day of July, I received a letter from the secretary of war, dated the 18th of June, informing me of the declaration of war. It was in these words—"Sir, war is declared against Great Britain. You will be on your guard, proceed to your post with all possible expedition, make such arrangements for the defence of the country, as in your judgment may be necessary, and wait for further orders."

The day before this letter was received, the quarter-master, had been directed to hire a small vessel, at the foot of the Rapids of the Miami, to transport the invalids, and the baggage, &c. not wanted on the march to Detroit. The horses being worn down on the march, rendered this measure, in my opinion, expedient. At this time I had received no information of the declaration of

war, and did not consider, there was any hazard in the measure. On the 24th of June, I received a letter from the war department, dated in the morning of the 18th June, directing me to march to Detroit, with all possible expedition. In that letter, not one word was said respecting a declaration of war. The British garrison, at Malden having a number of days before received the information, this vessel was taken in passing that fortress. The court martial could not find any ground to censure me for employing that vessel, as I had no information of the declaration of war, and was *obliged* to acquit me of the charge growing out of that event. The circumstances of this transaction, are particularly related in my defence.

Thus it appears, that I did not receive information of the war, until fourteen days after it was declared, that the British garrison had official knowledge of it four or five days sooner, that it is proved to a demonstration, that I might have received it eight days earlier, as I actually did receive a letter from the secretary of war, on the 24th of June, dated on the same day (viz.) the 18th of June, in the morning, which gave no information of the declaration of war.

The person who brought me this letter announcing the war, informed me he was employed by the post master of Cleveland, in the state of Ohio, and that it was brought in the mail, to that post office. In time of peace with England, there could have been but one opinion, with respect to engaging this vessel, in the manner it was employed. Having no information of the declaration of war, I must necessarily have believed, it was a time of peace, and consequently no blame could be attached to me. This was the opinion of the court martial.

If, after a knowledge of the war, I had sent this unarmed vessel to Detroit, with the sick of the army, the medical stores, intrenching tools, &c. knowing she must pass the British fortress at Amherstburg, it would have been treason, for which I ought to have been punished. The following is the opinion of the court martial on this subject—"The evidence on the subject having been publicly given, the court deem it proper, in justice to the accused, to say, that they do not believe, from any thing which has appeared before them, that Brigadier General William Hull has committed treason against the United States."

It appears then by the opinion of the court, founded on the testimony of the witnesses, in behalf of the prosecution, that in this respect, there was no fault on my part. But here was a serious public disaster, the first which had happened to the army I commanded, and occasioned by the fault or neglect of some officer of the government, whose duty it was to give me the earliest possible information of the war. It was well known to the government, that I was in a wilderness, filled with hostile savages, and approaching a British garrison, that a previous knowledge of the war, would have given the enemy the greatest possible advantage, in the situation I was placed. It is impossible that stronger reasons could have existed, to render it necessary, that I should have received the earliest information of the war. What measures were taken to give me this information? A letter was put into the post-office, and sent a circuitous rout to Cleveland in the state of Ohio, and the post-master at that place was requested to send it through a wilderness of about an hundred miles, to me. This letter, announcing this important event, was travelling fourteen days before it reached me, when I had received one in six days from Washington, dated on the same day. Who then, I seriously ask, was in fault? If I had received information of the war, as early as the government might have communicated it to me, this vessel would not have been employed, and this misfortune would not have happened. Every effort was attempted to make me the guilty cause in the prosecution, but without success. Could treason have been proved by the opinions of witnesses, the case would undoubtedly have been different; but that would have been too great an outrage on established principles. *Opinions*, however, were reserved for another charge against me, which will be considered in the course of these memoirs.

On this subject, I am sure you will acquit me of all censure, and place the fault at the door of the administration by whose neglect, the disaster was occasioned.

I ask you, fellow citizens, what must have been my feelings, as the commanding officer of that army, when I found that the enemy had received information of the declaration of war, a number of days before it had been communicated to me. Especially, as Malden was about sixty miles farther from Washington, than my situation at the time it was received. Had I not

as much cause to declare, there was treason at Washington, as the administration had to declare there was treason in my camp?

There was no act which I committed, and no duty which I omitted, which could create the least foundation for the charge. The administration had omitted giving me the earliest information of the declaration of war, which had been attended with the most serious consequences to the army. I have been the more particular on this subject, on account of the injustice and cruelty of the government, in charging me with treason, for an unfortunate event, which was caused by its own neglect.

No. XII.

It will be perceived, that the letter which I received from the Secretary of the department of war, on the morning of the 2d of July 1812, which is transcribed in the former number, contained a positive order to march the army to Detroit, and there wait for further orders. This order being positive, no other alternative remained, but obedience. In reflecting on the subject, the following considerations forced themselves on my mind. I had given it as my opinion, that while we were at peace with Great Britain, Detroit would be a suitable situation for forces, designed to protect that territory, and the northern frontier against the savages, and for this obvious reason, that they could receive all necessary supplies by the communication of the lake. But in the event of war with Great Britain, I had officially stated, that without a navy on Lake Erie, that communication would be entirely closed against us. I had likewise stated in that event, the difficulty, if not the impossibility of obtaining the necessary supplies in any other way.

Indeed it must be apparent to all who have any knowledge of the geography of the country, that there would be no other mode of obtaining supplies, but from the settled parts of the state of Ohio, through the wilderness which I had passed, and was passing, of more than two hundred miles, and filled with hostile savages. When the important event of the declaration of war against Great Britain was announced, I received no assurances from the Government, that any preparation was made

to preserve the communication of the lake. I received no assurances that any reenforcements were in readiness, to make such establishments on the road I had opened through the wilderness, as would give security to convoys, from the state of Ohio. I received no assurances, that any army was prepared to co-operate with the forces I commanded, in making offensive operations. At that moment, I anticipated what must be the fate of my army, unless the measures I have stated, were adopted.

Notwithstanding these reflections, I knew the first duty of a soldier was to obey orders; and in obedience to them, I marched the army to Detroit with all possible expedition.

In passing a large Indian village, the residence of the Wyondots, nearly opposite the British fort at Malden, and only separated from my rout by the Detroit river, it was the intention of the British commanding officer, to have crossed the river and attacked the army on its march through a hideous swamp, which we entered after passing this Indian village. At this time, having been informed of the war, a large body of the militia of Upper Canada, had reenforced the British garrison, and all the surrounding tribes of Indians had been invited to join its standard. Every preparation was made for it, on the morning of the 5th of July. It was only prevented by a communication the night before, which I caused to be made, by a confidential inhabitant of Malden, then in my camp, to a friend of his who resided in Malden, and was in the confidence of the commanding officer. The information communicated was, that it was not the intention of the army to march to Detroit, that all the boats had been collected on the west side of the river, that cannon had been sent for, from Detroit, and that my intention was to cross the river, and attack the fort. This information was immediately communicated to the commanding officer, which induced him to abandoned the enterprize, and concentrate all his forces for the defence of the fort. This manœuvre I deemed necessary, as the forces I commanded had been about a month in the wilderness, on the hardest fatigue, opening a road and not in a situation for discipline, or preparation for action. Besides the ground was well calculated for Indian warfare, and we had no field artillery to oppose to that of the enemy, which

might easily have been transported across the river. By this stratagem the troops passed this fortress without annoyance, and that evening arrived at Detroit. After a march of so much hardship and fatigue, I thought it was my duty to permit both officers and soldiers to rest from their labours for a few days. The time was however employed in washing their clothes, cleaning and repairing their arms. All the armourers at Detroit were engaged, assisting in this necessary work. The enemy were directly opposite at this time, erecting fortifications on the bank of the river. An impatience was excited, and a strong wish manifested among both officers and men, to cross the river and commence offensive operations. In consequence of this, I called a council of war, consisting of the field officers, and communicated to them the instructions I had received from the government, "that I was to march with all possible expedition to Detroit and there wait for further or ers." I informed them that I did not consider myself authorized by those instructions to invade the enemy's territory, and I wished them to give such explanations, as would allay the impatience which had been excited. Notwithstanding this communication, the officers gave it as their opinion, that it was expedient immediately to cross and take possession of the opposite bank. I then informed them, as long as I commanded that army, I should obey the orders of the Government. The circumstances of this Council, are proved by the testimony of Colonel Cass, who was a mem ber of it, and are only stated, to shew the temper and inexperience of my officers, and the difficulty of my command. This was but four days after the arrival of the army at Detroit. On the evening of the 9th, after the council was dismissed, I received a letter from the Secretary of the department of war, authorizing me to commence offensive operations. This letter is of so much importance that I shall here recite the part of it, which relates to offensive operations.

War Department, June 24th, 1812.

SIR,

By my letter of the 18th inst. you were informed that war was declared against Great Britain. Herewith enclosed, you will receive a copy of the act, and of the President's proclamation, and you are authorized to commence offensive operations accordingly.

Should the force under your command be equal to the enterprise, consistent with the safety of your own posts, you will take possession of Malden, and extend your conquests as circumstances may justify.

(Signed) WILLIAM EUSTIS.

On the same evening this letter was received, the following answer was given.

Detroit, 9th July, 1812.

Sir,

I have received your letter of the 24th of June. The army under my command arrived here on the 5th of July inst. Every effort has been and is still making, by the British to collect the Indians under their standard. They have a large number. I am preparing boats, and shall pass the river in a few days The British have established a post, directly opposite this place.—I have confidence in dislodging him, and being in possession of the opposite bank. I have little time to write: every thing will be done that is possible to do.

The British command the water and the savages.

I do not think the force here equal to the reduction of Amherstburg (meaning the fort at Malden;) you therefore must not be too sanguine.

(Signed) WILLIAM HULL.

Hon. Wm. Eustis.

By the letter which has just been recited from the Secretary of War, of the 24th of June, and received by me at Detroit, the 9th of July, I was authorized,

1st. To commence offensive operations.

2d. Should the force under my command be equal to the enterprise, consistent with the safety of our own posts, I was to take possession of Malden, and extend my conquests, as circumstances might justify.

As soon as I received this letter I determined to cross the river, and take possession of the bank opposite Detroit. For this purpose, all the boats and canoes belonging to the inhabitants were collected and repaired. There were none belonging to the public. On the 11th of July a sufficient number had been collected to carry over about four hundred men. As the enemy was in considerable force on the opposite bank, and as I could not carry over more than four hundred men at once, I thought

it expedient to draw off his attention, as much as possible, from the point where it was my intention to cross. This point was at Bloody Bridge, about a mile and a half above Detroit. For this purpose I ordered all the boats on the 11th, towards evening, to pass down the river, in sight of the enemy, and to continue below the town until dark, and then silently to return to the station at Bloody Bridge. This movement had the desired effect. The enemy retreated in the night below Sandwich, and at day-light in the morning of the 12th, the army passed the river, and landed without any opposition.

No. XIII.

As the letter of the Secretary of the department of war of the 24th of June, authorized me to commence offensive operations, and gives assurances, in behalf of the government, to the inhabitants of Canada, of protection, in their persons, property, and rights ; I shall now state the reasons, which induced me to make the invasion, and issue the proclamation, when the army landed on the Canada shore.

The authority given to commence offensive operations, was absolute. There was no qualifications.—Nothing was left to my discretion. The intention of this order is very clearly explained, by another order contained in the same letter.

"Should the force under my command be equal to the enterprise, consistent with the safety of our other posts, I was ordered to take possession of Malden. &c" In this case, the authority was not absolute, but the measure was left to my discretion. If, therefore, I had not commenced offensive operations. the expectations of the government would have been disappointed.

Situated, however, as this army was, there were other very strong reasons for the measure. The enemy were erecting fortifications on the opposite bank, directly opposite to the town of Detroit. This bank is a little more elevated, than the one on the American side of the river. Had the enemy, therefore, been permitted to have finished the fortifications, and armed them with cannon, the town of Detroit would have been greatly annoyed, and the situation of the army made uncomfortable. To dislodge the enemy from this position, I thought both ex-

pedient and necessary. The possession of both banks, would give us the command of the river, and prevent the enemy from sending supplies to the garrisons on Lake Huron.

There were other objects, under the circumstances I was placed, which rendered the measure expedient. The delay of only one or two days, in collecting and repairing the boats, and in making the necessary preparations increased the impatience, which had been before manifested and it arose almost to mutiny. This spirit was fostered, and inflamed generally by the officers of the militia; what the motives were, whether they were an expectation of plunder, I will not pretend to say. With many of them, however, they proved to be an unsteady, wayward spirit; as about two hundred of them refused to accompany the army, alledging as a reason, that by law, and by their engagements, they were not obliged to march out of the U. States.

Another object, which I considered of great importance, was, to preserve the neutrality of the inhabitants of Upper Canada, and the savages, and to prevent them from joining the British standard.

I confidently hoped, when the inhabitants beheld the American forces in the possession of their country, and in a situation to afford them protection, it would be a strong inducement to them to remain quietly at their homes, and take no part in the war.

I believed, when the Indians discovered the American standard erected on both sides of the river, it would have a favourable effect, and induce them to return to their villages, and take no part in a war, in which they had no interest. At this time there was no information that Michillimackinack had fallen, and there were some grounds, that these expectations would be realized.

There was another reason, which most powerfully urged me to take possession of the enemy's country. It was to draw from it provisions and forage for the support of my army, and to intercept, as far as possible, the supplies from the river Le Trench, to the British garrison at Malden. In the course of these memoirs, I shall exhibit the small quantities of provisions, which were at Detroit, the 5th of July, on my arrival, that none arrived afterwards, that in the Territory of Michigan, there was not a sufficiency for the inhabitants, and that the whole stock

would have been exhausted, long before the capitulation, had not an additional supply been obtained from the inhabitants of Canada. The supply indeed was small, but it had a double operation; as it increased our stock and diminished that of the enemy. It was taken principally from mills on the river Le Trench, where it had been prepared for the garrison at Malden. I have stated these reasons, for the invasion of Canada, not that the government made it one of the articles of charges against me. This indeed, could not have been done, because it was by its own order; but I have done it to satisfy some of my fellow citizens of its expediency, who have attached blame to me for the measure, under the circumstances, in which I was placed. Had it not been done by the orders of the government, there is no doubt it would have been one of the first charges against me, for which I should have been condemned.

These are the reasons, which induced me to commence offensive operations, and not with a view to storm the British fort at Malden, with undisciplined and mutinous militia. My letter to the Secretary of War, which has been recited, is conclusive evidence on this subject, I repeat the words. "The British command the water and the savages; I do not think the force here equal to the reduction of Amherstburg, (the fort at Malden,) you therefore must not be too sanguine."

No. XIV.

On the subject of the number which I shall now present to you, I feel more interest than on any other which has been or will be discussed. It is the proclamation which I issued to the inhabitants of Canada. This was not made an article of charge against me, because it would have re-acted on the administration. By the letter of the Secretary of War, of the 24th June, and which was received before the proclamation was issued, I was authorized, when I commenced offensive operations, to give assurances of protection to the inhabitants, in their persons, property, and rights. This was the foundation of the proclamation, and the substance of it was authorized in this letter, and the other parts of it contained reasons to induce the inhabitants not to take any part in the contest. I shall endeavour to

give it a fair and candid explanation, and state the motives which induced me to issue it in the form it appeared. Whatever opinion you may form of it—whether it meets with your approbation or disapprobation—I pledge myself to produce authentic testimony, that as soon as it was published, it was sent to the government, approved by the government, and consequently became the act of the government; and that, in publishing it, I was influenced by pure and honourable motives.

I feel the more solicitude on this subject, because, many honourable men, who have approved of my conduct generally, during that campaign, have not been satisfied with every part of the proclamation. As many of you, perhaps, have not had an opportunity of seeing it, I shall here transcribe the whole of it; after which, I shall give such explanations as in my opinion the text will justify.

By William Hull, *Governour of the Territory of Michigan, and Commanding the North Western Army.*

A PROCLAMATION.

Inhabitants of Canada,

After thirty years of peace and prosperity, the United States have been driven to arms. The injuries and aggressions, the insults and indignities of Great Britain have once more left them no alternative but manly resistance or unconditional submission. The army under my command has invaded your country; the standard of the Union now waves over the territory of Canada. To the peaceable, unoffending inhabitants, it brings neither danger nor difficulty. I come to find enemies, not to make them. I come to protect, not to injure you.

Separated by an immense ocean and an extensive wilderness from Great Britain, you have no participation in her councils, no interest in her conduct. You have *felt her tyranny*, you have *seen her injustice*. But I do not ask you to avenge the one or redress the other. The United States are sufficiently powerful to afford every security consistent with their rights and your expectations. I tender to you the invaluable blessings of civil, political, and religious liberty, and their necessary result; individual and general prosperity: that liberty which gave decision to our councils and energy to our conduct, in a struggle for independence, which conducted us safely and triumphantly through the stormy period of the revolution—that liberty which

raised us to an elevated rank among the nations of the world; and which afforded a greater measure of peace and security, of wealth and improvement, than ever fell to the lot of any people.

In the name of my country, and the authority of government, I promise you protection, to your persons, property, and rights. Remain at your homes, pursue your peaceful and customary avocations; raise not your hands against your brethren. Many of your fathers fought for the freedom and independence we now enjoy. Being children, therefore, of the same family with us, and heirs to the same heritage, the arrival of an army of friends must be hailed by you, with a cordial welcome. You will be emancipated from tyranny and oppression, and restored to the dignified station of freemen. Had I any doubt of eventual success, I might ask your assistance, but I do not, I come prepared for every contingency. I have a force which will break down all opposition, and that force is but the vanguard of a much greater. If contrary to your own interest, and the just expectations of my country, you should take a part in the approaching contest, you will be considered as enemies, and the horrours and calamities of war will stalk before you. If the barbarous and savage policy of Great Britain be pursued, and the savages be let loose to murder our citizens and butcher our women and children, this war will be a war of extermination. The first stroke of the tomahawk, the first attempt with the scalping knife, will be the signal of one indiscriminate scene of desolation. No white man found fighting by the side of an Indian will be taken prisoner—instant death will be his lot. If the dictates of reason, duty, justice, and humanity, cannot prevent the employment of a force which respects no rights, and knows no wrong, it will be prevented by a severe and relentless system of retaliation. I doubt not your courage and firmness, I will not doubt your attachment to liberty. If you tender your services voluntarily, they will be accepted readily. The United States offer you peace, liberty, and security. Your choice lies between these and war, slavery or destruction. Choose then; choose wisely, and may He who knows the justice of our cause, and who holds in his hand the fate of nations, guide you to the result the most compatible with your rights and interest, your peace and happiness. WILLIAM HULL.

Before I proceed to any particular explanations, I ask you to bear in mind the situation in which I was placed by the orders of the government. I was in an enemy's country, with the command of a small body of militia, and a few regulars, (the numbers will hereafter be described) nearly three hundred miles distant from any magazines of provisions, munitions of war, or re-enforcements. The enemy with which I had to contend, was all the British troops in Upper Canada, all the militia of that province, and all the northern and western Indians, both, in the territory of Canada and the United States, together with all the strength and resources of the wealthy and powerful North-west Company.

Placed in this insulated situation, by the orders of the government; and surrounded by all the veteran British troops in Upper Canada, a powerful militia, subject to the command of the British governour of the province, who was the general of the army; with but a small stock of provisions on hand and no possibility of obtaining a further supply, as the lake was commanded by a British naval squadron, and the only communication by land, a wilderness of more than two hundred miles, filled with hostile savages; I saw no possibility of even sustaining my situation, unless the militia could be prevented from taking a part in the war, and joining the British standard.

A large portion of the population of that province had emigrated from the United States. They had been educated with the principles of freedom and independence; and some of them, and many of their fathers, had fought and bled in our revolutionary contest. They were situated more than three thousand miles from the country to which they were subjected, and had no participation or interest in the measures it adopted. Having for a number of years lived in their neighbourhood, I had often heard them express the injustice and oppression they suffered, and their nutural right, and strong wishes, to participate in the same freedom and independence which their brethren of the United States enjoyed, and under which they were so prosperous and happy. They were informed that the force I had was but the vanguard of a much greater. I considered that I had solid grounds to make this declaration.

In the first place, it will be seen that I was authorized to pledge the faith of the government, that they should be protect-

ed in their persons, property, and rights. Could I have believed that the government would have authorized me to have made this pledge, without furnishing the means of redeeming it? I beg you, my fellow citizens, to look back, and consider what took place, before I left Washington, on this subject. In my official communications to the government, I stated, that in the event of war with Great Britain, it would be necessary to command the waters of Lake Erie, by a naval force superiour to that of the enemy; to provide re-enforcements, to secure the communication through the wilderness I was to penetrate—and a powerful army, to co-operate from the States of New York and Pennsylvania, which border on the east part of the lake: that, without these measures, it would be impossible for me to sustain my situation; and the ports of Detroit, Michillimackanack, and Chicago, would fall into the possession of the enemy. I hope, and indeed believe, you will be satisfied, there were sufficient grounds on my part for making this declaration.

I now come to that part of the proclamation which regards the Indians, and the employment of them in the war by the British government. It is well known, that the mode of Indian warfare is to give no quarter. After torturing their prisoners in the most inhuman manner, they put them to death, unless they believe they will be useful to them as slaves, or they can obtain an high ransom for them. In their warfare, they have no respect to age, to women, or children; wherever their power extends, it becomes an indiscriminate scene of desolation; and, on their part, a war of extermination.

In the former wars, it is well known, that many of the Canadians have joined their bands, and in every respect assumed their dress, and so assimilated themselves to them, that it was impossible to make any distinction. If it is the Indian mode of warfare to give no quarter, it is certainly proper for those against whom they fight to observe the same rule. If white men paint and disfigure themselves, and assume the dress of Indians, and fight by their sides in war, in such a manner that they cannot be distinguished, I ask whether it is not proper to treat them in the same manner as Indians. By a reference to General Brock's proclamation, in answer to mine, it will be seen that he justified this mode of warfare of his savage allies.

It is observed, *if* the barbarous and savage policy of Great Britain be pursued, and the savages are let loose to murder our citizens, and butcher our women and children, this war will be a war of extermination. It then states, that if the dictates of reason, duty, justice, and humanity cannot prevent the employment of a force, which respects no rights, and knows no wrongs, it will be prevented by a severe and relentless system of retaliation.

It will be perceived, that all these declarations are grounded on the principle of retaliation; this principle, I have ever been taught by the high authority of the laws of nations, is well founded and just. The whole proclamation has been recited; and I beg it may be particularly observed, that the threatening declarations are hypothetical; that, *if* the enemy pursue this barbarous policy we must retaliate in our own defence.

On the 13th of July, the day after it was published, a copy of it was sent to the government. The paragraph of the letter is in these words:—"Enclosed is a copy of a proclamation to the inhabitants, which I hope will be approved by the government. Two hundred copies have been printed and are in circulation." *See Hull's Trial, page* 10 *of the Index.* Here follow several extracts of letters received from the war department, in reply to my letters about that date.

"*War Department Aug.* 1, 1812.

"*Sir:* Your letters of the 13th and 14th, together with your proclamation, have been received. Your operations are approved by the President."

In another letter, dated on the same day the proclamation was received, the Secretary of war says: "The progress you have made, and the success which has attended it, are highly satisfactory to the President."

In another letter from the Secretary of War, dated the 8th of August, eight days after the receipt of the proclamation, he says: "Your letters of the 21st and 22d of July have been received and your arrangements are approved by the President."

These letters have lately been obtained from the war office, and are certified to be true copies.

Thus it appears, from the records of the war office, that my letter of the 13th of July, enclosing the proclamation, was received on the 1st of August; that on the same day, the Secreta-

ry wrote me a letter, acknowledging the receipt of it, and saying that my operations were approved by the President.

On the same day, the Secretary wrote me another letter, referring likewise to the one enclosing my proclamation; in which he said, "that the progress I had made, and the success which had attended it was highly satisfactory to the President;" and in another letter, written eight days after the receipt of the proclamation, he says, referring to the same subject, "your arrangements are approved by the President."

After this explanation and state of facts, which has been proved by the records of the goverment, I confidently submit the subject to your candid decision.

I have been the more particular on this subject for two reasons which have not been mentioned. One is, although this proclamation was not an aricle of charge against me, as I before observed, yet it was copied from the records of the government, and sent to the court martial as evidence against me on my trial, and published with the other evidence, by Lieut. Col. Forbes, in his report of my trial. There could have been no other motive, but to have created unfavourable impressions against me. It is with reluctance, that I state the other reason, because it may in some measure, affect characters, for whom I have the highest respect, and on whom the future hopes of our country are placed.

By the journal of the proceedings of the commissioners, at the treaty of Ghent, it appears, that the commissioners on the part of Great Britain, stated some improper aggressions, which our government had committed against the inhabitants of Canada. Not having the journal before me, I cannot state precisely, and it is not necessary, what they were. The American commissioners asked them for the evidence. The proclamation, which has been referred to, was offered as evidence. The American commissioners declared that it was *unauthorized* and *disapproved* by the government.

On this subject, my fellow citizens, you have before you the documents and evidence, giving me an authority to issue this proclamation, of its being sent to the government, and the President's approbation of it, in three letters, after it had been received,—my enquiries of the Hon. John Quincy Adams, on

what grounds that declaration was made, and his answer, are contained in my second number.

Thus, it appears, that every wheel, and indeed the whole machinery of the administration, was put in motion, however distant from the centre of operation, to exonerate itself, and place on my shoulders, all the misfortunes which took place at the commencement of the war; a war, however just were the causes of it, was declared without any preparation; and I can safely appeal to the public records, to prove, contrary to every opinion I had given on the subject.

In not less than three official communications made to the administration, I stated that if war was declared, without the command of the lake, Detroit, Michillimackanack and Chicago, must in the nature of things, fall into the hands of the enemy.

No. XV.

Having in the former numbers explained the motives which rendered it expedient, to cross the Detroit river, and take a position with the principal part of the forces on the opposite bank, I shall now endeavour to satisfy you of the propriety of the delay in this situation, and offer the reasons why an attack on the British fort at Malden was not made. In the same letter, from the Secretary of War, which authorized me to commence offensive operations, an attempt to take possession of the British fort at Malden, was left to my discretion. This letter was received the 9th of July, in the evening. On the same evening this letter was received, I wrote to the Secretary, in answer to it, in these words:—"The British command the water and the savages.—I do not think the force here, equal to the reduction of Amherstburg. You therefore, must not be too sanguine."

As the Secretary's letter only authorized me to make the attack on the British fort at Malden, provided, I considered my force adequate to the enterprise, and consistent with the safety of my other posts; and as in my answer, I gave it as my opinion that my force was not equal to the enterprise, and gave my reasons for the opinion, (viz.) that the enemy commanded the

water and the savages. I could not have believed it possible, after the government had confided this measure to my discretion, and had fully approved of my conduct, that it could have been made a charge of capital offence against me. But so it was, and I therefore, must ask the indulgence of your patience, in stating the reasons, which governed my conduct.

After having received these discretionary orders, and after having given this answer and opinion, if I had made the attempt, and it had been unsuccessful, what would the officers of the administration have said? They would have said, and with propriety, that I was *only* authorized to adopt this measure, *provided* my force was competent to it; that I had communicated to them my opinion that it was not competent to it, and therefore it had been attempted, contrary to the spirit of the orders I had received, and would then have been a sufficient ground for an article of charge. In explaining the reasons of my conduct on this occasion, nothing shall be disguised, nothing shall be kept back, nothing shall be said, but what is founded in truth, whether it operates for or against me. Under these impressions, I wish you to understand, that on the 9th of July, when I wrote to the Secretary of War, and informed him that my force was not equal to the reduction of Malden, it was uncertain, what part the inhabitants of Upper Canada would take in the war. They were subjects of the British nation, and liable to the orders of its government. Unless in some way they could be prevented from taking a part in the war, they alone were sufficient to overwhelm the whole of my army. They were militia, composed of the same materials, as the principal part of my army and more than five times its number. With respect to the savages, many of them at that time had joined the British standard, and no certain calculations could be made, that I should be able to induce them to return and remain quiet at their villages. It was well known that a great portion of the inhabitants of the Province, felt no very strong attachment to the government under which they lived. Many of them, as I have before observed, were born and educated in the United States, had enjoyed the blessings of a free government, and were united to us by ties of friendship and of blood.

They remembered the time when the United States, were provinces of Great Britain, the history of our revolution, and

were not ignorant of the blessing we enjoyed as an independent nation. I could not but indulge the expectation, that from their situation and feelings, they would not have been disposed to have joined in the war against us. For some time every appearance justified this expectation. Large numbers, who had been called into Malden for its defence, came to our camp, and received the protection of our government. Numbers came from every part of the province, and gave assurances of their friendship, and their determination, not to take arms against us. Under these circumstances, I considered delay favourable to my operations, as the force of the enemy was every day diminished. Strong detachments were made to the river Trench, to collect provisions, and to Malden, to reconnoitre the situation of the enemy. All the artificers of the army were employed in making carriages for twenty-four pounders, for the attack on the fort at Malden, and floating batteries were commenced to transport them down the river, if possible, to operate against the enemy's naval force.

These preparations for an attack on the fort at Malden, were made under the expectation, or at least the hope, that the desertion of the militia would continue, and other events would take place, which would render that measure expedient.

During this delay, a clamour was excited in the camp, by the officers of the militia, because the army was not immediately marched to the attack of Malden. In consequence of this impatience, two days after the invasion of the enemy's territory, I called a council of war, and proposed the question, whether it were expedient to attempt, with the bayonet, to storm the fort at Malden. The council determined that no attempt ought to be made on Malden, until the heavy artillery was prepared.

Although, from the time of the first council, to the 5th of August, many circumstances had taken place, which will hereafter be related, to render an attack on Malden still more inexpedient, and the heavy artillery had not been completed, yet on account of the great impatience of the officers, I called another council of war, on the 5th of August.

In this council, I stated that the heavy artillery was not in readiness, but would be in two or three days. The question was then submitted to the council, whether it were expedient to wait for the heavy artillery, in order to make a breach in the

works, or immediately to make the attempt with the bayonet alone?

Before the question was taken, I observed to them, that if it should be their opinion that it was expedient to make the attack immediately, and they would answer for their men, I would lead them to the enterprise. Colonel Miller, (who commanded the regulars,) answered, he would be answerable for the men he commanded. Colonels McArthur, Cass, and Finley, (who commanded the militia,) said they would not be answerable, but hoped they would behave well. The council then determined that it was expedient to wait two days longer for the heavy artillery.

Thus it appears, that notwithstanding the impatience and desire which was manifested to attack the fort with the bayonet, yet when it came to the test, and I declared to them that I would lead them, if in their opinion in council, they thought it expedient, their impatience and desire subsided, and they thought it best to be aided in the enterprise by the heavy artillery. These facts are proved by the testimony of Colonel Miller, and others, and a more particular detail, will be found in my defence before the court martial.

No. XVI.

As the measures alluded to in my last number of not attacking Malden, and of recrossing the Detroit river, were made articles of capital charge against me, by the administration, I must ask your particular attention to these subjects. However contrary they were to my feelings and wishes, yet under the unexpected circumstances, which had taken place, they were in my opinion dictated by a sense of imperious duty—had I been influenced only by a desire of popular fame, and not been governed by the dictates of duty, I should have been unworthy of the confidence which had been placed in me.—There existed, however, powerful inducements to a departure from the line of conduct which I pursued. I well knew the interest which the progress of the army I commanded had excited, and the expectations which were cherished. I well knew the feelings of the

officers and soldiers of the Ohio militia, who in a patriotic manner had volunteered their services ; and the effect that a retrograde movement would have on them. I well knew their anxious desire, when they returned to their homes, after the fatigues and dangers of the campaign had passed, to be adorned with laurels, and to be hailed by their friends and neighbours as the conquerors of Malden. As to myself had I been influenced by motives of ambition alone, I was no stranger to the road which would have conducted me to popular favour, or of the rewards and honours, which an achievement so anxiously expected, would have bestowed.

In adopting the measures, which I did on this occasion, I hope to convince you, that I was influenced by the purest motives, that the measures were strictly conformable to established military principles, and that not even errours of judgment, much less crimes, ought to have been imputed to me.

The number of effective men, of which my army consisted, has been greatly exaggerated, both at this time, and at the time of the capitulation.—In the course of these memoirs, I shall present a more particular detail. At present, I shall make such statements and present such documents, as will enable you to form a satisfactory estimate of my forces in the enemy's country, at the time I recrossed Detroit river.

By the letter of the Secretary of war, of the 9th of April, 1812, which gave me the command of these forces, their numbers were stated, and the objects for which they were called into service. The numbers were 1200 militia from the state of Ohio, and the 4th United States' Regiment, which consisted of about 300. I never received any instructions from the Government to march with a larger force. A few straggling volunteers, from the novelty of the scene, curiosity, or a desire to see the country, followed the army, and were included in the return.

On the road which was opened through the wilderness three block houses were built, and garrisoned for the purpose of aiding in the security of the communication, and the protection of convoys of provisions, against the savages. It appears from Lieut. Furbush's testimony, and other evidence on my trial (Page 146 of Lieut. Col. Forbes' report of the trial,) all the sick of the army, with a suitable number to take care of them,

were made prisoners in the vessel, which sailed from the Miami, on the 1st of July, for Detroit, in passing the Fort at Malden, before I had received information of the declaration of war.—This number must have been as many as sixty, as the Lieut. who was himself on board the vessel, says, it was as many as she could carry. A number of the sick of the army, on its march, were left at the river Raisin, and never again joined it. One hundred and eighty of the Ohio militia refused to pass the river when I commenced offensive operations, alledging as a reason, that they were not obliged to serve out of the United States. The aggregate of these numbers, will amount to more than three hundred. In addition to this number, a subaltern officer and thirty men, were left at the Miami, to build a stockade fort, by orders from the Secretary of war. Besides this, it was necessary to leave a portion of the troops, for the security of the fort of Detroit, and the other posts in its vicinity.

In addition to the Ohio militia, and the 4th regiment, there was a company in the fort of Detroit. Being governour of the territory, its militia were under my command. The population of that territory did not much exceed four thousand, and scattered from lake Superior to the Miami of lake Erie, a distance of about five hundred miles. Little or no advantage could be derived from this militia. The unfortunate loss of my papers during the campaign, the circumstances of which will be particularly related in a future number, prevents me from giving, at present, a more particular detail. But here we have the highest authority for the numbers ordered by the government, and in my trial, will be found conclusive evidence, with respect to those taken in the vessel, those left in the block houses, and those who refused to pass the river.—It was now the 6th or 7th of August; the troops had endured great fatigue in opening the road on their march, and the principal part of them had not been inured to a camp life. They were in a country liable to the ague and fever, and a large number were sick and debilitated.

At my trial my prosecutors endeavoured to make the numbers as large as possible—A return was presented to the Court Martial made at fort Finlay at the commencement of the march, and before any detachments were made, and the total

number amounted to a few more, than were ordered by the government. This return included all the volunteers, and followers of the army, not legally subject to my command, wagonners, packhorse-men, &c. &c. &c. On the data here given the effective force at Sandwich, could not have been one thousand, which will appear evident by mathematical calculation.

In a future number, in which I shall state the reasons why the capitulation was necessary, I shall explain the manner in which Gen. Brock made the numbers so much larger. I will now only state a few facts on that subject. In the first place, the troops made prisoners at Michillimackanack, were at Detroit on their parole, and were included in the number. Likewise the Michigan militia were included, which joined the enemy on their first landing at the Spring Wells. Major Jessop, who was one of my most violent prosecutors, and who manifested a desire to augment my force as much as possible, in his testimony before the Court Martial, says we crossed the river with sixteen or eighteen hundred men. This however was a mere matter of opinion, because he did not state, or produce any document or evidence on which it was grounded. By his own expressions he was uncertain, and had no correct data, on which even to found an opinion. His testimony therefore, leaves it as uncertain, as if he had said, between a thousand and eighteen hundred. By the official documents and evidence, which I have here given, it is impossible in the nature of things, that his opinion could have been correct. Notwithstanding this testimony, I think you must be satisfied that at this time, I had not on the Canada shore, a thousand effective men.

Without giving any weight to my opinion, from the evidence here exhibited, and an accurate calculation, you will be able to form an estimate for yourselves. I shall now proceed to state the situation in which I was placed, and offer my reasons, for not making an attack on the fortress at Malden. Obedience to orders, is the first duty of a military officer. I will therefore again state, the only order I had received on the subject. In the letter of the Secretary of war, of the 24th of June, I was only authorized to make the attempt, provided I thought my force was adequate to the enterprize, and it could be done consistent with the safety of my other posts. Here it was left to my discretion, and if I did not believe it could be done with

safety, in the manner stated in the order, neither its letter nor spirit authorized the enterprise.

The following reasons induced me to believe that it was not expedient.

The few undisciplined forces I commanded, were in an enemy's country, and surrounded by foes of every description. The waters and the wilderness were enemies, which in the nature of things, could not be controuled by any means in my power. I had no communication with my country, excepting through one or the other of them. The first was obstructed by the enemy's navy, the other by his savage allies. Thus it appears, my communication was entirely cut off, and distant about three hundred miles from any part of the country on which I could depend for re-enforcements, or necessary supplies.

Information had now been received, that the fortress at Michillimackanack, situated on the navigable waters above me, and which the enemy commanded, had fallen into the possession of the British and savage forces, which surrounded it.

The news of this event was accompanied with information which cast a shade over my prospects, and greatly encouraged and strengthened the force of the enemy opposed to me.

Immediately after the fall of Michillimackanack, messages were sent by the Indian Chiefs, who attended the British troops in the reduction of that place, and who inhabited the adjacent country, to all the villages south, as far as Miami, informing them that they had joined the British standard, that Michillimackanack had fallen into their hands, that Chichago was invested, and that they were all preparing to proceed to Malden; that they expected there to meet all their warriours, and assist in the reduction of Detroit. That an express had likewise been sent to General Brock, informing him of the event, and that the Canadians and savages were coming to join the army at Malden. About the same time, viz. the 4th of August, I received information, that Major Chambers, of the British army, with a detachment of regular soldiers and brass field pieces, had landed on the west part of Lake Ontario, had penetrated as far as the river Le Trench, and was collecting all the Canadian militia and savages of that part of Canada, to lead them against my army. At this time I likewise received information, that Colo-

nel Proctor, of the British army, had arrived from fort Erie, by water, with re-enforcements at Malden. As their re-enforcements were guarded by an armed vessel, I had nothing to oppose to them, to prevent their junction at Malden. Indeed the advantage to the enemy of commanding the lake became every day more apparent. Both re-enforcements, and supplies, could be transported with facility from one post to another, whenever it became necessary.

At this time, I had intercepted a letter from a Mr. McKenzie, a member of the North-west Company, at fort William, to a Mr. McIntosh of Sandwich, the principal agent of that company, in Upper Canada, dated the 19th of July, 1812. The genuineness of this letter was proved on my trial, and admitted in evidence. It affords such clear evidence of the force on the borders of the lakes above me, and that it was to be directed against me, that I shall here recite the following extracts from it.

"The declaration of war reached us on the 16th inst. [viz. "16th July] but we are neither astonished nor alarmed. Our "agents ordered a general muster, which amounted to twelve "hundred, exclusive of several hundreds of the natives. We "are equal in all to sixteen or seventeen hundred strong. One "of our gentlemen started on the 17th with several light canoes "for the interiour country, to rouse the natives to activity, which "is not hard to do on the present occasion. We likewise dis-"patched messengers in all directions with the news. I have not "the least doubt but our force in ten days hence, will amount to "five thousand effective men. Our young gentlemen and en-"gagees, offered most handsomely, to march immediately for "Michillimackanack. Our Chief, Mr. Shaw, expressed his "gratitude, and drafted one hundred. They are to proceed "this evening for St. Joseph's. He takes about as many In-"dians. Could the vessel contain them, he might have had "four thousand more. It now depends on what accounts we "receive from St. Joseph's whether these numerous tribes, from "the interiour will proceed to St. Joseph's or not."

At the time I intercepted this letter, its contents were confirmed by the information I received from Lieutenant Hanks, Doctor Day, and Mr. Stone, who had arrived at Detroit from Michillimackanack, prisoners on parole. They stated, that be-

fore they left Michillimackanack, a number of boats and canoes had arrived, in which several gentlemen came passengers, who, they were informed, were agents of the North-west Company, and had come from fort William, on lake Superiour after the news of the declaration of war had been received there; and that they gave the same account of the Canadian and savage force, and its destination, as is contained in Mr. McKenzie's letter. They further stated to me, that a large body of savages were collected at the outlet of lake Superiour and that two thousand savages, according to the best estimate they could make, were at Michillimackanack, prepared to proceed and join the British force at Malden. Lieutenant Hanks was killed in the fort at Detroit, which deprived me of his testimony. Doctor Day and Mr. Stone, who were both at Michillimackanack, and present, when Lieutenant Hank made the communication to me, in their testimony on my trial, fully confirmed the statement here made.

In addition to all this combination of force, which was proceeding against me, symptoms appeared in the interiour of my camp, not less alarming. The spirit of mutiny, which before had manifested itself in whispers, increased, and became more open. It was evident it was now fostered and encouraged by the principal officers of the militia, and was fast rising into an avowed conspiracy. I, however, never believed the extent, enormity and malignity of it, until it was confessed in Colonel Cass' letter to the Secretary of War, (which is published in my trial, page 25 of the appendix) which, in the course of these memoirs, will be more particularly noticed.

Notwithstanding the fortress of Malden had been strengthened by British re-enforcements, notwithstanding many of the militia of Upper Canada had returned to their duty, under a proclamation of pardon from the commanding officer, notwithstanding, after the fall of Michillimackanack, the Wyondots, and other tribes of Indians connected with them, had joined the standard of the enemy, yet, under all the circumstances, I was determined to make the attempt on the fort on the 8th of August, and made my arrangements accordingly.

And I now repeat what I stated in my defence, that there is no part of my conduct, since I have been a soldier, that I reflect upon with so much self conviction of errour, as I do upon this.

I look back with regret upon the moment when I yielded to the councils of the inexperienced officers I commanded, and determined to make an attempt, which my own judgment did not approve, which was contrary to all military knowledge, and which even success might not justify. I thought, however, it was possible, that if I were successful, and should possess myself of the enemy's fortress, I might possibly maintain myself there, for some short time; and in that time, I hoped I might have some succour and security, from my own country, and her armies, that I had been led to expect would be operating below me.

No. XVII.

I SHALL now ask your attention to the reasons which finally induced me not to make the movement and attack on the fortress at Malden, according to the arrangement I had made, but to recross the river with the principal part of the army, on the evening of the 7th of August. That afternoon I received two letters from General Hall, who commanded the American troops on the Niagara Straits, and one from General Porter, from Black Rock. By these letters I was informed that a large number of boats, filled with British troops, had passed over Lake Ontario, to the west part of it, and were directing their course to Malden, and likewise, that the British forces, with the Canadian militia, and savages, on the opposite side of the Niagara river, were moving by water, to the same point; and what was more decisive still on my operations, by the same letters I was informed that nothing would be done there to check these movements, and that no assistance or co-operation would be afforded from that quarter, to the army I commanded. It is impossible for me to express the disappointment which this information occasioned—what possible events could have taken place, which would have authorized General Brock to have withdrawn the troops from fort George, fort Erie, and the other posts on the Niagara river, I could not conceive;—especially, as I had grounds to believe that the whole strength of the American forces were posted on the opposite bank—and as the Secretary of War had informed General Dearborn of my situation, and

had ordered him to make diversions in the enemy's country, at those very stations, from which I was informed they were withdrawn, and were bearing on me. The real and true causes which enabled the enemy to withdraw his forces from those stations on the Niagara river, and concentrate them, and his other troops, against the army I commanded, were then unknown to me. The mystery has since been unfolded, and the causes are as apparent as the sun at noon-day without a cloud. It was the armistice, or cessation of hostilities, which General Dearborn, the senior officer of the army, agreed to the beginning of August, and which he communicated to the Secretary of War, on the 8th of the same month, as appears by his letter of that date, in which the army I commanded was not included, but which extended to all the other forces on the northern borders. This convention, or agreement entered into by General Dearborn, and its consequences on my situation, will be fully considered in my future numbers.

It now appeared that the whole war against Canada, was to be carried on with the 1200 Ohio militia, and three hundred regulars, which were placed under my command. It will be remembered before I crossed the river, and took a position in the enemy's country, I stated to the Secretary of War, in my letter of the 9th of July, which has been before referred to, that I did not consider my force adequate to the enterprize, and in a former number, have stated the reasons, which induced me to cross the river and take possession of Sandwich.

When I received these letters from General Hall and General Porter, the expectations which I had before entertained of my communication by the lake being opened by a naval force, and of assistance and co-operation, from our armies on the Niagara river, were at an end. These letters from Generals Hall and Porter, were admitted in evidence on my trial, and the time and circumstances of receiving them proved, by the testimony of Colonel Miller, to whom I communicated the contents. (See Col. Miller's testimony, page 117, Lieut. Col. Forbes' report of my trial.)

After this information, and thus situated, I determined to recross the river with the principal part of the army, not with an intention of relinquishing the object of the reduction of Malden, and offensive operations against Canada, but of waiting until

more favourable circumstances should present themselves, and in the meantime of attempting to open my communication through the wilderness.

I had now, no communication with my country, and it was not possible to obtain any through any other channel. On the security of this communication for the purpose of obtaining supplies, I considered the very existence of my army depended.

If I had believed that an attack on Malden, with a probability of success, would have effected the object of opening this communication, or of even giving facility to it, I should cheerfully have undertaken it.

As I have before observed, my own fame, and the gratification of my officers, were powerful inducements to the measure. Situated, however, as I was, it was my opinion that it would have been a useless waste of blood, and success would have been attended with no advantage.

The reduction of Malden could have had no effect on the naval force of the enemy, unless all the harbours on the Canada shore, and among the islands, had been in our possession. It would have been utterly impossible to have maintained the fortress. It must have fallen for the want of supplies. The waters of the lakes would have remained shut against us. If, therefore, the road through the wilderness to the settlements of Ohio could have been opened, still no supplies could have passed into the fort without crossing the water, and that would have been prevented by the enemy's naval force.

As Michillimackanack had fallen, if we had possessed Malden, in a very short time it would have been assailed by all the Canadians attached to the North-western Company, with the numerous and powerful hosts of savages of that region, and by the British force, which had landed on the western part of Lake Ontario, with the militia and savages of that part of the country. The naval armament would have co-operated with these forces, the supplies would have been intercepted, and no relief or assistance could possibly have been afforded.

If, with the knowledge I had of the forces which were marching against me, I had made an attack on Malden, it would have been as great a crime as any of which I was accused by the administration, and I certainly should have wanted the consciousness of having acted from the purest motives, and accord-

ing to my best judgment, which has been my consolation in all I have suffered.

Thus it appears, that the little army I commanded was entirely cut off from the country, and could receive no more sustenance from it than the arm can receive sustenance when cut off and separated from the human body; and remaining in this situation, it must as inevitably have perished as the arm would perish without receiving sustenance from the source on which it depended for life. As I considered the existence of my army depended on opening the communication through the road to Ohio, and as no other possible mode presented of effecting it but by recrossing the river with the principal part of the army, it was adopted on the evening of the 7th of August.

These, fellow citizens, as I observed in my defence, were the grounds on which I made a retrogade movement with a part of the army to Detroit. It was from thence I could open the only channel, through which it could derive the means of its existence. If my judgment then misled me, it continues yet to mislead me; for every day that I have lived I have become more confident that I did right to leave the enemy's country. Had I followed the dictates of my own judgment I should have made my retreat to the Miami, and there waited for co-operation and assistance. The distance from thence to the settlements in Ohio would have been comparatively short; I should have had no enemy in my rear but savages, and it might have been possible to have preserved my communication, and obtained supplies. The day after I recrossed the river, (the 9th of August,) I proposed this measure to some of the principal officers. I will here give the answer of Colonel Cass. It was, that if I did, under the existing circumstances, every man of the Ohio volunteers and militia would leave me. His language was, as he states it himself, that the militia would retreat with me if *they* thought a retreat necessary. But as *they* undertook to judge that it was not then necessary, they would leave me, and not a man would retreat under my command. Colonel Cass's testimony on this subject is in the following words. "I recollect a conversation, after the retreat from Canada, and before we went to the river Raisin, in which General Hull suggested, that as he heard of no co-operation from below, it might be necessary to take post at the Miami. I think I told General Hull that, if under existing

circumstances, he took such a step, the Ohio militia would desert him to a man. Whethe I told General Hull so or not, I am confident it would have been the case." This, among many other things which might be mentioned, is evidence of the insubordination which was among the troops. That this spirit was encouraged by the principal officers is evident, from the confessions of some of them on my trial. The officers were indebted to the soldiers for their stations; they were their neighbours, and were elected by them. They lived together, in camp on habits of perfect equality, and before this campaign, neither officers nor soldiers had ever seen any actual service, and had never been accustomed to any military discipline excepting company trainings about their doors. It is unnecessary for me to describe the difficulty of commanding troops of such a character; or of performing any military operations where obedience to orders is essential to success. No better exemplification can possibly be given than the conduct which both officers and men exhibited on this occasion.

It may probably be asked, why did you not arrest the principal officers who had been guilty of this conspiracy, and who had excited this insubordination? I answer, by asking another question. Whether you believe these volunteers from the militia, who composed more than two thirds of the army, would have suffered the leaders they had chosen, to be deprived of their command? Whether an attempt of the kind would not have produced a civil war in the camp? This same spirit had been manifested from the commencement to the end of the campaign. It was manifested at Urbanna, by a part of the militia refusing to march when ordered. It was manifested at Detroit, by one hundred and eighty refusing to cross the river when ordered; it was manifested on the march, by conduct towards some of their own officers, too ridiculous and too disgraceful to be repeated. And it finally appeared that a Cataline was in our camp, who had formed a conspiracy to deprive me of the command, with which I had been entrusted by the government. This fact appears by the letter of Colonel Cass to the Secretary of War, which is published in my trial.

Under the events which had taken place, and which had come to my knowledge, I should have been wanting in the duties which I owed to my station, had I not retreated from

Canada. I retreated for the purpose of taking the most effective measures in my power for opening my communication. Its importance I have endeavoured to explain. Indeed it was so obvious that the administration was sensible of it, and one of the articles of charges against me was, for not keeping it open, and another for withdrawing the army from Canada, the only measure by which it possibly could have been effected. In my letters to the Secretary of War, immediately after the retreat, I stated the same reasons which I have here given. Likewise in my letters to Governour Meigs, of Ohio, Governour Scott, of Kentucky, &c. These letters bear date the 8th, 9th, and 11th of August, and were in evidence on my trial. All these letters, written at the time, shew that I retreated from Canada because I had ascertained that I should soon be surrounded by an overwhelming force; because there was no possibility of opening my communication from that station, and because I found the few regulars and militia under my command, were to be left to carry on, without any assistance or co-operation, the offensive war, which the United States had declared against one of the most powerful nations on earth. By a referrence to my trial, it will appear, that Colonel Cass and others of my officers, were sensible at this time of the difficulties of my situation. In a letter to Mr. Silliman, of Ohio, the brother-in-law of the Colonel, he says, "that provisions would become necessary for the existence of the troops." In a letter to the same, after the fall of Michillimackanack, he says, "that the impression made by that event could scarcely be conceived." According to Mr. Silliman's testimony in his letters to him, Colonel Cass pressed him to use his influence to procure re-enforcements for the army, and expressed his surprize that we were left without co-operation, by putting to his correspondent the following interrogation, "Is their nothing to be done in the lower end of the lakes to make a diversion in our favour?" In a letter to the same gentleman on the 12th of August, Colonel Cass says, "think our situation as bad as you may, it is still worse."

No. XVIII.

Before I proceed to give an account of the measures I adopted, to open the communication, to Ohio, I will state some general principles, and will endeavour to show the propriety of observing them in all military movements, and will apply them to the situation in which I was placed by the orders of the government. And here in the first place, I will ask your attention, to the same principles, which I stated in my defence—that in modern warfare, the first great object of each contending party, is the resources of his enemy.—The fate of armies is found to depend upon the abundance of their resources, on their security, and the facility of keeping up a communication with them. It has become a principle to manœuvre in such a manner, as to cover the places from whence supplies may be drawn, not to go far from them, but with great caution, and never to cease preserving with them those connections, in which the strength of an army consists, and on which its success depends. These principles are to be found in the best military authors of modern times, and the soundness of them have been confirmed by numerous examples. The enemy with which I had to contend, had strictly observed them. His principal post was at Malden, on the east bank of the Detroit river, where it empties into lake Erie. His magazines, which contained all necessary supplies, were at fort Erie, and at other places, between Malden and fort Erie, on the borders of the lake, which his navy commanded. Having no armed vessels, or boats, it was impossible for me, in the least degree to interrupt this line of communication. The enemy's station, therefore, could be furnished with all necessary supplies, with the greatest facility, and with the most perfect safety. I now ask you, my fellow citizens, to cast your eyes on the map of the country, where I was placed, not by my own judgment and discretion, after the declaration of war, but by the positive orders of the government, and consider on what grounds, such orders could have been justified. As these *fatal orders* were, in my opinion, one great cause of the misfortune, which attended the army I commanded, I shall ask your particular attention to them. On the 18th of

June, after war was declared against Great Britain, the Secretary of War, wrote me a letter, in which, he informed me of the event, and ordered me to march the army I commanded, to Detroit, with all possible expedition. At the time, this order was given, the President of the United States, by whose command it was given, well knew, that no preparation was made to build a navy on lake Erie, and that the enemy commanded it, with a number of armed vessels and gun-boats.

When, therefore, these *fatal orders* were given, those, by whose authority they were given, well knew that the communication through the lake would be closed against us, and that no re-enforcements, or supplies of any kind, could be obtained for the army, through that channel. Those, who gave these *fatal orders*, well knew, that after the declaration of war, the army I commanded, and the posts of Detroit, Michillimackanack, and Chicago, which had before, in time of peace, been supplied through the communication of the lakes, could only receive their supplies by land. They well knew, that the State of Ohio, was the nearest part of our country, from which the necessary supplies could be furnished. They well knew, that the distance from any magazines, where these supplies could be obtained, to the point where they ordered the army, was more than two hundred miles, and to the other posts they had established, was more than five hundred miles.

They well knew, that this distance, was almost entirely a wilderness, filled with savages, who in the event of war, would probably become hostile. They well knew, that the necessary supplies, could only be carried through this wilderness, on pack-horses. They well knew, that the only line of communication, through which these pack-horses, with supplies, could pass, was for about seventy miles on the margin of lake Erie, and the Detroit river, both of which were commanded by the enemy's gun-boats and vessels of war. They likewise well knew, that these supplies must pass by the enemy's principal post at Malden, only separated by the Detroit river. Under the orders the administration had given, they well knew the impossibility of supplying the army, and the posts I have mentioned, with the means of subsistence. They well knew, the facility and ease, with which the enemy could assail the convoys, both by his land and naval forces, on this long and vulnerable line of communi-

cation, and the impossibility of stretching the army back, from the point they had ordered as my station, for the safety and protection of such convoys.

The administration, likewise well knew, when these fatal orders were given, that in three separate statements, which I had made to the President through the medium of the Secretary of the department of war, I had observed that in the event of a war against Great Britain, a navy on lake Erie, superiour to the British was essential to success; and, that without preserving the water communication, an army could not be supported at Detroit, and that Detroit, Michillimackanack, and Chicago, would inevitably fall into the hands of the enemy.

These statements had been received as official documents, and no objections had ever been urged against them. The administration, therefore, knew my opinions on the subject, and certainly ought not to have continued me in command, when a course was to be pursued directly contrary to the opinion, I had repeatedly and officially given.

On a map of the country, which was the scene of my operations, you will be able more distinctly to perceive the natural obstacles, with which I had to contend. Besides seeing the positions of the British and Canadian forces, and the stations of the different nations of savages, you can see the manner in which the waters and the wilderness, were arrayed against me. At present, I can only ask your attention to the general maps of our country, which will afford some assistance, in obtaining a knowledge of my situation.

The necessity and importance of preserving my communication with magazines, for supplying the army, I had learned from reading the best military authors, and from my observations and experience, during the war of the revolution.

From books, I had been taught, that when an army moved towards an enemy, its line or lines of operation must be from its base, on which are its magazines of necessary supplies. That a connection should always be preserved between the line or lines of operation, and the base, or magazines. That an army never ought to advance so far from the magazines, as to enable the enemy, to attack and destroy the convoys of supplies from the magazines to the army, When the army marched from Urbanna in Ohio, this rule did not apply, because we were at

peace with Great Britain, and in the country through which I marched, there was no other enemy but, savages. The army, therefore, carried on pack-horses, sufficient supplies, for its support, until it arrived at the lake. On the communication through the lake on our arrival there, we depended for supplies, as it was open to us, until after the declaration of war.

Near the Miami of the lake, I received the *fatal order*, which has so often been referred to, informing me of the declaration of war, and ordering me, positively, to march to Detroit.

Had I not received this order, and the operations had been left to my discretion, I should not have marched to Detroit, eighteen miles in the rear of the enemy, but made my movements against the enemy, from a different quarter.

I had served under the banners of General Washington, from the commencement to the end of the revolutionary war.

I had observed, how cautious he was in all his movements, to preserve a communication with his magazines. He retreated from Long Island to New York, because he knew the enemy would prevent his communication with a naval force in the East river. He retreated from New York to the White Plains, because the British navy commanded both the East and North rivers, and the army was marching to take possession of the high grounds, beyond King's Bridge, to intercept his communication from the country, whence he received his supplies. He retreated through New Jersey and passed the Delaware, to take a position, where he could receive his supplies. In 1777, when General St. Clair commanded at Ticonderoga, and found that the enemy commanded lake Champlain, and was making movements to surround the garrison on all sides, and cut off his communication, and supplies, he retreated, and abandoned a post, which was considered the *key* of the country.

When General Burgoyne, became sensible that he was to receive no co-operation, from New York, and his communication was cut off from his magazines in Canada, he surrendered under a capitulation.

When General Lincoln, was beseiged at Charleston, by a British fleet and army, and his communication with his magazines was cut off, he surrendered.

When the army commanded by Lord Cornwallis at York-

town, was attacked by a naval and land force, and he had no communication with his magazines, he surrendered.

At an earlier period, during the war between France and England, in 1753, when General Washington, (then Major Washington) and commandant of a colonial regiment, from Virginia, was surrounded and attacked in a Stockade fort, at a place called the Little Meadows, by a body of Frenchmen and savages, by which means, his communication was cut off from any supplies, he made a capitulation with the enemy.

Bonaparte, in his Russian campaign, departed from the principles of the most celebrated military authors. Moscow, the object of his attack, was so distant from his magazines, that it was impossible to preserve any connection with them, so as to receive the necessary supplies. For the support of his army, he had nothing to depend on, but supplies from the enemy's country. The conflagration of Moscow, and the Russians rising in mass against him, rendered it impossible to obtain supplies, and consequently to sustain his situation, at so remote a post.

In this situation, had he proposed a capitulation, he probably might have saved the lives of more than four hundred thousand men, for the future services of his empire. His haughty spirit, and former triumphs forbid any proposition of the kind. In his attempt to retreat, his army was destroyed by the force of the elements, and the Russian bayonet. It may, at least be made a question, whether, under the circumstances he was placed, he would not have exhibited more magnanimity, by an attempt to save the lives of his army, by negotiation, than by the course he pursued.

I have cited the examples of these celebrated commanders, for no other purpose, than to illustrate the principle, that, when an army is deprived of its communication with its magazines, on which it depends for its necessary supplies, and cannot open that communication, so as to obtain them, its fate is inevitable, and it becomes the duty of its commander, to accept the best terms from the enemy, which can be obtained.

No. XIX.

Before I left the enemy's country, having received information that some beef cattle had arrived at or near the river Raisin, escorted by a company of militia from the State of Ohio, I made a detachment of two hundred men, under the command of Major Van-horn, with orders to proceed to the river Raisin, and guard these cattle safely to camp.

At Brownstown, this detachment was attacked by a body of savages, and entirely defeated. According to Major Van-horn's report, eighteen men were killed, twelve wounded, and about seventy missing. His opinion was, that three hundred Indians crossed from Malden, and that from one hundred and fifty to two hundred were actually engaged. This report was received on the 5th of August, two days before the retreat from Sandwich. This unpropitious event increased the difficulty of my situation, and more strongly convinced me how impossible it was to continue offensive operations, and furnish at the same time a sufficient force to give security to so extensive a communication. The war had now become both offensive and defensive, and the little army I commanded was alone left to carry it on in both characters. This was among the reasons which induced me to recross the river, that I might be able to detach a more powerful force to open the communication.

For this purpose, therefore, on the very day the army retreated to Detroit, I ordered a detachment of six hundred men, under the command of Colonel Miller, of the 4th United States' regiment. This command consisted of all the effective men of that regiment, and a selection of the most effective of the militia. It was likewise accompanied by a field piece and howitzer, from the fort at Detroit. Colonel Miller met a body of the enemy, consisting of British troops, Canadian militia, and savages; which, having received information of his approach, was formed in the woods in regular order of battle. A disposition was immediately made on his part for an attack, and after a severe contest, honourable to the American arms, the enemy was compelled to retreat. After pressing on his rear about two miles, Colonel Miller thought proper to discontinue the pursuit,

and the enemy embarked, under cover of his armed vessels, and recrossed to Malden. The loss, in killed and wounded, in the battle, on our part, was about eighty. As soon as I received an account of the action, a re-enforcement of one hundred men, with a supply of provisions, under the command of Colonel McArthur, was ordered to join Colonel Miller's detachment at Maguago. As soon as the detachment had recruited from its fatigue, my intentions was, that it should have proceeded on the expedition to the river Raisin. A severe storm of rain intervened, and the troops were exposed to it without any covering. I therefore thought it expedient, on account of their great fatigue, to order them back to Detroit, and make an arrangement by another rout to open the communication.

The road to the river Raisin, which passed through the Indian village of Brownstown, being principally on the margin of the Detroit river, both troops and convoys could easily be annoyed by the gun boats and armed vessels of the enemy. Besides, in its course, there was only the river which separated it from the enemy's principal post at Malden. Being thus situated, it was almost impossible to secure it in such a manner as that convoys could pass with any kind of safety. After Colonel Miller's return to Detroit, therefore, seeing the indispensable necessity of obtaining the supplies which had arrived at the river Raisin, and being informed of a circuitous rout, distant from the river, I thought it expedient to make the attempt in that direction. I communicated my intentions to Colonels McArthur and Cass, and they not only fully approved of the measure, but offered their services, as volunteers, on the expedition. I likewise communicated to them a letter from Captain Brush, who commanded the escort of provisions, informing me that he should take the back road, and should have occasion for support. I authorized Colonels McArthur and Cass to select the most healthy and effective men of their regiments, and directed the Quarter Master to furnish pack-horses to carry provisions for them during their march. On the 14th of August, they commenced their march, under the command of Colonel McArthur, attended by Colonel Cass. The progress they made, and the circumstances which attended the expedition, will hereafter be related.

Thus will be seen the measures which were adopted, and the

efforts which were made to open the communication. I have been the more particular on this subject, because it was made an article of charge against me. What more could have been done, in my situation, and with the force at my disposal, I know not, unless I had retreated with my whole force to the Miami. The reasons why I did not, have been stated in these memoirs.

By the statement here made, the truth of which will be manifest by the evidence and documents in my trial, it appears that I made three attempts to open my communication—one by a detachment of two hundred men, under the command of Major Van-horn; another by a detachment of six hundred of the best and most effective part of the army, under the command of Colonel Miller; and the third, by all the healthy and effective men of McArthur's and Cass' regiments, which the two Colonels were authorized to select and command themselves.

I now ask the candid reader, in imagination, to fix himself at Detroit, and view my situation: I ask him to read the orders of the government, which positively placed me in this situation, eighteen miles in the rear of the enemy's principal post in the province of Upper Canada; to look over the waters of the lake, and behold the hostile naval armament which commanded them; to view not only the enemy's principal post, situated on these waters, but all his magazines established on them, protected by this naval armament, and capable of being transported, with the greatest safety and facility, to any point where they might be necessary. After viewing the situation of the enemy, and his resources, I ask you more particularly to look at mine. You must look through a dreary wilderness of more than two hundred miles, filled with hostile savages, before you can find a base on which any magazines were established, by which my little army could be supplied with the means of subsistence. Through this wilderness you will see no possible communication, excepting by a single road, opened by the labour and fatigue of this little army, in penetrating to the position to which it was ordered. This only and single line of operation, was liable to be obstructed by the savage force, to which the nature of the country was peculiarly suited; by the whole force of the enemy's troops, both British and Canadian; and between the Miami and Detroit, seventy miles, by the gun boats and armed vessels on the lake. To give security to this communi-

cation, you will see nothing but two or three solitary block-houses, built by the troops when the road was opened, and guarded only by a few invalid militia, left in them on the march.

By the foregoing memoirs, and by the evidence on my trial, you will perceive there was no adequate force, on this long line of operation, furnished by the government, to give security to it, for the protection of convoys. And when you consider the attempts I had made and their consequences, I think you will be satisfied, that with my whole force I could not have stretched back so great a distance as to have preserved the communication. To illustrate a subject of this kind the best writers on military movements compare an army's lines of operation to the muscles of the human body, on which the life and motions of the members depend. When the whole moving spring of a member is confined to a single muscle, the loss of which would render it useless, it is the more important to defend it from every hurt. So a single offensive line is, to an army marching towards an object, a part singularly sensible, and cannot be too carefully guarded from contact with the enemy.

From the nature of the country from Miami to Detroit, it was impossible to have more than one line of operation, and it has been shown how singularly it was exposed to be intercepted and rendered useless.

Thus I think, from the exposition given of my situation, every unprejudiced reader will be convinced that, there was no posibility of obtaining any supplies, from any magazines from my country. I shall now offer for your consideration, the best evidence and the best documents the nature of the case will admit of, to satisfy you of the state of the magazines at Detroit, and the supplies which could have been obtained from the country around it.

As a true knowledge of this subject is very important in forming an opinion of the measures I adopted, and as the grossest misrepresentations have been made by my enemies, I shall make it a separate article in my next number.

No. XX.

That you may clearly understand the situation in which I was placed, with respect to provision, for the army, it will be necessary, that you should be acquainted with the country, and its resources. At this time the population of the Michigan territory, of which Detroit was the capital, was between four and five thousand souls —Their settlements were on the Miami of lake Erie, the river Raisin, Ecoss, Rouge, and the Detroit river, lake St. Clair, the river Huron, which empties into lake St. Clair, the river St. Clair, and the island of Michillimackanack—at that time much the greatest part, indeed almost the whole, who cultivated the land, were Canadians.—They were miserable farmers, paid little attention to agriculture, and depended principally on hunting, fishing, and trading with the Indians for support.—The produce of the territory, in the substantial articles of living, was by no means sufficient for the subsistence of the inhabitants.—They were supplied, with pork, beef, flour, and corn from the State of Ohio, and the parts of New York and Pennsylvania, which border on lake Erie—notwithstanding these facts are well known, I will refer to some testimony, to satisfy those, who are unacquainted with the territory.

Captain Thomson Maxwell, in his evidence on my trial, testified, "that he had lived thirteen years in Ohio, and had been engaged every year, in driving cattle and hogs, from thence to Detroit market; from a thousand to fifteen hundred hogs annually, from one hundred and fifty, to two hundred pounds each—and from an hundred and fifty, to two hundred head of cattle.—They were generally driven through the woods, without any road."—Colonel Kingsbury, of the 1st United States' regiment, testified, "that he commanded at Detroit about two years, and left it in 1811, and that during the time he commanded there, there were large droves of hogs, and fat beef cattle, driven from Ohio, to that market".

A great variety of other evidence might be adduced to prove his fact, but I deem it unnecessary.

It is only necessary to know the character of the inhabitants and the situation of the country, to be satisfied of the fact—uni-

versal experience proves, that nothing but necessity will induce men to toil and hard labour. They are much better pleased with the chase, fishing, &c. Without making any further observations on this subject, I believe you will be convinced, after considering how long the army had been among these people, and how much had been taken from them that there were no grounds, to calculate on any further supplies from their scanty stores.

I shall now endeavour to demonstrate, from the best evidence which the nature of the case will admit, the state of provisions at Detroit, at the time of the capitulation.

Augustus Porter, Esq. of the State of New York, was the contractor for furnishing this army.—David Beard, Esq. was his agent, and was present at Detroit.

Before my trial, and pending my trial, I repeatedly requested that David Beard who then resided in the State of New York, might be summoned as a witness to prove the quantity of provisions at Detroit before, and at the time of the capitulation. The Judge advocate assured me, he should be summoned. Near the close of the trial, as he did not appear, I wrote him a letter, informing him how important his testimony was, and requested his attendance. He arrived in Albany the day the evidence was closed, and his certificate of the quantity of provisions, was admitted in evidence. It will appear by the minutes of the trial that his testimony, was the last before I made my defence. This being the best evidence which the nature of the case will admit of. I presume ought to controul all other evidence. Mr. Beard, was not only the agent, who did all the business at Detroit, but I understood from him, had some share in the profits of the contract. He could have no motive, to have diminished the quantity, because the United States must have paid for all that was on hand at the time of the capitulation.

By the contractor's agent's certificate, it will appear that on the ninth of July, 1812, there was at Detroit 125,000 rations of flour, and 70,666 rations of meat; and that on the 28th of July, there was 70,000 rations of flour, and 21,000 of meat. Mr. Beard has certified that this statement was handed to me, containing the provisions in the contractor's store, and signed by him as will appear by the proceedings of the Court Martial, on my trial.

By this return, it will appear, what quantity was consumed, from the ninth, to the 28th of July, what quantity remained on hand, the 28th of July, and by observing the same rule of consumption, it will appear, what quantity, would have been in store, on the 16th of August, the day of the capitulation.

By the data here given it will appear that, if a ration of meat had been issued, the meat would have been exhausted on the 6th of August, ten days before the capitulation. And if during those ten days, after the meat was exhausted, an additional quantity of flour had been issued, to make up the ration, as was the case, the whole of the flour would have been exhausted on the 16th of August, the day of the capitulation. It appears by the return of the contractor, that from the 9th to the 28th of July, that 5,334 rations of flour, more than of meat, were issued, and that practice was continued, in about the same proportion, until the 16th of August. There is another reason why so much more flour was issued than meat.—In a former part of these memoirs, I stated, that the old Indian Chiefs and Sachems continued friendly to the United States, and advised the warriours not to join the British standard, or to take any part in the contest. These friendly Chiefs and Sachems, with the women and children, daily came to Detroit from the villages, in a starving condition. It had long been the custom, and I was ordered by the Government, as superintendant of Indian affairs, on their visit to this post, to furnish them with provisions. At this time, I directed, on account of the deficiency of meat, that flour alone should be issued, which they preferred. Every effort was made to prevent these visits, and no more provisions were issued to them, than was necessary to preserve life.

Perhaps it may be asked by those unacquainted with my situation, and the practice of armies, why so many more rations were daily issued, than the number of effective men, which composed the army? I will give the true answer to an enquiry of this kind.

It will appear by the foregoing memoirs, that the officers and soldiers from Michillamackinack had arrived at Detroit, prisoners on parole, and they had no other means of subsistence, but to receive rations.

It likewise appears, that a large number of old Indian Chiefs and Sachems, daily visited our camp, and were fed from the public stores by order of the Government, as I before stated.

It was now the middle of August, and a large number of sick were to be provided for, and there being no medical stores it was necessary to issue meat and flour, for their subsistence.

A number of women, are attached to all armies, and it is a general custom to furnish them with provisions. All the officers are entitled to extra rations, from twelve to two. All the quarter-masters' department, such as waggoners, pack-horsemen, boatmen, &c. are entitled to rations. I think this statement will satisfy any enquiries on this subject.

Although every possible effort was made by the administration to prove, that the state of the provisions, was no reason for the capitulation; yet, on a careful examination of all the evidence on my trial, I can find nothing which ought to have any weight in any degree to controul, or vary the statement, here made. It has been said by Cols. M'Arthur and Cass, and other witnesses, that they never heard any complaints of the want of provision. Brevet-Major Whistler is the only witness, who has given any testimony on this subject worthy of notice.

His testimony is in the words following: "I went, some days before the army re-crossed, with a Mr. Beard, the deputy contractor, to a store which held the provisions of the army, and saw, and helped to count between 2 and 300 barrels of flour, 48 barrels of pork, and 16 or 17 barrels of salt beef." From this testimony of the Brevet Major, it is impossible to determine, the quantity, if any, which was in the store on the 16th of August. And for this conclusive reason, that he does not ascertain the day, that he was in the store, and it is impossible to ascertain it, from any thing he said. He said, "some days before the army re-crossed the river." It might have been three or four days before, or it might have been fifteen or twenty. It is unfortunate for me, that he did not recollect the day, because had it been only three or four days before the army re-crossed the river, the quantity, by his testimony, would not have been so great, as it appears to be by the returns of the deputy contractor. This can easily be ascertained and reduced to mathematical demonstration, from the data here given.

I feel confident, that I am not blinded by prejudice, in believing, that every person, who will read this statement, and the evidence, by which it is proved to be true, will be satisfied, that the state of the Provisions in the store, and the impossibility of

obtaining a supply, from any other quarter, presented very powerful reasons, for the measures, which I adopted on the 16th of August.

In my next number, I shall present to you, my fellow citizens, documents, from the records of the government, to prove the assistance, and co-operation, which the administration instructed General Dearborn, the senior officer of the army, to afford me, and to convince you, by the most conclusive testimony, that in violation of his orders, instead of affording any assistance and co-operation, he adopted measures which were among the fatal causes of the disasters, which the army under my command suffered.

No. XXI.

In redeeming the pledge, which I gave in my last number, I shall endeavour to suppress the feelings, which a recollection of the injustice I have experienced, naturally excites. In vindication of *my* honour, I have no disposition to criminate *others.* Age is entitled to respect; the feelings of near connections have a claim to our regard, and should never wantonly be violated; and every day, my fellow citizens, we witness your veneration and gratitude for revolutionary services. No considerations ought, however, to prevent the publication of truth, whatever its operations may be on any individual character.

It is well known, that General Dearborn was the senior officer of our armies in the year 1812, it is well known that he was the President of the Court Martial, before which I was tried; and it will, and it must appear, that the defence of his own character and fame, depended on the event of that trial. The unfortunate loss of all my public papers will be particularly stated, and it will appear that on my trial, I had no other documentary evidence, excepting what the administration, who were my prosecutors, thought proper to furnish. Whoever will examine the proceedings of that Court Martial will find that none of the letters from the administration to General Dearborn, none of the instructions which he received, and indeed not a single docu-

ment, to prove the manner in which he was ordered to co-operate with my army were produced; although I requested copies of all the papers from the war office, which had any relation to the charges the administration had exhibited against me. It is too well known, how deeply interested the officers of that administration were in my condemnation, to require any evidence on the subject. The important crisis of the Presidential election soon followed the disasters of the campaign, and the fate of every officer who directed the councils of the cabinet, and the operations of the field, depended on that event. A general opinion prevailed that the war had been declared without suitable preparation, and that its misfortunes had been occasioned by the ill judged measures of the administration, and a storm seemed to be gathering over the heads of its officers. Its fury was increasing with so much violence, and its direction was becoming so pointed, as to create the most alarming fears. To divert its force, and to shield themselves from its violence, a shelter of some kind became necessary for their safety: and as *I* had been the unsuccessful General, it was thought more easy to divert it from themselves, by directing its force against me, than in any other manner. To effect this, every means in their power were brought into exercise, and General Dearborn was selected as the principal instrument to execute their plans

I have made these observations to show the efforts of the administration, in the measures which were adopted, for my destruction. In proof of the statements which I shall make, the highest evidence of which the nature of the case will admit, certified documents from the records of the government, will be produced. The facts which I shall exhibit to your view, are so necessary to be known, to enable you to form a just estimate of both his public conduct and mine, and are so connected with the history of our country and its military operations, that no considerations ought to prevent the publication of them.

Satisfactory reasons, I presume, have been given for the long delay. We are both fast descending the downhill of life, and rapidly approaching the end of our journey. The truth can better be made known while we are living, than after our death.

I have deeply regretted his absence from the country at this time, lest it should be thought that I have taken advantage of that absence to make communications which would not bear the

test of his examination. I rejoice, however, to learn by the public prints that he will soon return, and have an opportunity of repelling any charges, which he may believe unwarranted by the evidence in my possession. No one of you can be more ready than myself to receive, and give due weight to any explanations which he may wish to make. But, fellow citizens, should he avoid such explanations on the ground that the decision of the Court Martial of which he was President, is conclusive, I shall, with the utmost confidence appeal to my countrymen for a revision of the sentence of that tribunal; knowing that in you I shall have candid, just, intelligent, and *disinterested* judges, in whose hands the honour of the innocent and the injured must always be safe.

I shall now proceed to produce documents to show, the manner in which he discharged the duties of his high office in relation to the detachment of the army entrusted to my command. In the first place, I will observe, that during the whole campaign, I never received a single letter from him.

In the next place I shall prove, that early in the campaign, he was ordered by the government, to place the troops under his immediate command, in stations suitable for the invasion of Upper Canada; and that when I commenced offensive operations against that province, he was likewise commanded to co-operate with me in those operations.

In the next place I shall prove, that in violation of the orders of the government, he never made any co-operations, at the time here referred to, although he had at his disposal, a sufficient force for the purpose.

I shall then show, that without any instructions from the government, and without any justifiable cause for the measure, he agreed with Sir George Prevost, the commander-in-chief of the armies in Canada, to an armistice, or suspension of hostilities, in which the army I commanded was not included; and by that means, left it in the power of the enemy to march his whole force with the most perfect safety to his other posts, to the point, where I had commenced offensive operations. I shall further show, that he was constantly informed of my situation, and must have known, if he had any knowledge of his duty, that the measures he adopted, in the nature of things, must have occasioned the destruction of my army. And I shall further show, that in

consequence of this armistice, or cessation of hostilities, that General Brock, the acting Governour and commander-in-chief of Upper Canada, marched with all the forces of his province, and re-enforcements from Montreal to the station at Malden.

As early as the 26th of June, 1812, ten days before the army I commanded arrived at Detroit, the Secretary of War, in a letter to General Dearborn says, "It is altogether uncertain what time General Hull may deem it expedient to commence offensive operations. The preparations, (meaning General Dearborn's preparations) it is presumed, will be made, to move in a direction for Niagara, Kingston and Montreal." [Recorded Vol. 5th, p. 458.] This shows, that a few days after the declaration of war, and while I was on my march, through the wilderness, that it was not only the intention of the government, that I should commence offensive operations from Detroit against Upper Canada, but likewise, that General Dearborn should make preparations to co-operate with me, as the troops were to move in a direction for Niagara, &c. In the Secretary's letter to the same, dated the 9th of July, he says, "You will order all the recruits not otherwise disposed of, to Albany, or some other stations on Lake Champlain, to be organized for the invasion of Canada." [Vol. 6th, p 15, 16. Records of the War Office.] This shows as early as the 9th of July, the object of the administration, was the invasion of Canada.

On the 20th of July, the Secretary wrote to General Dearborn as follows: "I have been in daily expectation of hearing from General Hull, who probably arrived at Detroit on the 8th inst. The first intelligence received from him will be communicated to you; enclosed is a copy of his last orders; you will make such arrangments with Governour Thompkins, as will place the militia detached by him for Niagara, and the other posts on the Lakes under your controul: and there should be a communication, and, if practicable, a co operation, throughout the whole frontier." [Vol. 6, p. 35.] By this letter, the militia of New York were placed under General Dearborn's controul, and he was directed to communicate, and co-operate with the other forces on the frontier. General Dearborn could not have misunderstood this order, because there were at that time no other forces on the frontier but those under my command, and the orders which are alluded to, in the letter enclosed to

him, were the orders to me to commence offensive operations against Canada.

On the 1st of August, the Secretary wrote to General Dearborn the following letter. "Enclosed herewith, you will receive a copy of a letter, from Brigadier General Hull, of July 19, by express. You will make a diversion in his favour at Niagara, and at Kingston, as soon as may be practicable, and by such operations as may be within your controul." [Vol. 6, p. 199.] Here he was positively ordered to make a diversion at Niagara, and Kingston, as soon as was practicable; and by such operations, as were within his controul. It may here be observed, that he was the senior officer of the army, and all the troops raised for the invasion of Canada were subject to his immediate controul, excepting the few Ohio militia, and the 4th United States regiment under my command, *and* by his rank, he would have commanded them, if he had obeyed his orders, in making diversions in the enemy's country, and co-operating with them.

In a number of other letters to General Dearborn from the Secretary, he was instructed to make diversions, and co-operate with my army: to prevent being tedious, I will extract the substance of them, with a reference to the record of them in the War Office. In one, the Secretary informs General Dearborn that the last letter from General Hull was dated the 29th of July, and that reports had been received that the militia ordered by Governour Meigs of Ohio, to secure the road for conveying provisions to Detroit, had halted at the Miami of the lake, in consequence of a collection of Indians in their front. He further informed him, that every thing indicated the necessity of early and effective co-operation at Niagara, and the posts below. [Vol. 6, p. 89.]

Indeed all my letters to the Secretary of War, giving an account of my situation, and the necessity of co-operation, were enclosed by him to General Dearborn, for his information. [See Vol. 6, p. 68.] The others I will not notice; they may be found on record.

In order to make it still more apparent, that General Dearborn knew perfectly my situation, and was ordered to adopt measures for my support and assistance, I will give extracts of letters from the Secretary of War to me, on that subject. In his letter of the 26th of July, he says, "General Dearborn will

be apprized of your situation, and directed to keep up a correspondence with you, and to take measures to afford the necessary support." [Vol. 6, p. 126.] In another letter to me of the 1st of August, he says, "On the 26th of July, your letters of the 7th and 10th were enclosed to General Dearborn, with a copy of mine of the 26th, accompanied with a request, that he would make a diversion in your favour. By the mail of this evening, yours of the 29th is enclosed to him, with an instruction to make a diversion at Niagara and Kingston, as soon as practicable." [Vol. 6, p. 127, 8.]

Thus it appears, by a number of official letters from the Secretary of the department of war, to General Dearborn, from the 26th of June, 1812, to the 1st of August, and from official letters from the Secretary to me, that during that time, he was constantly apprized of my situation, and ordered by the government, not only to make diversions against the enemy, but to cooperate with me in the invasion of Canada. And it will likewise appear by a letter to me from the Secretary of War, which I shall hereafter have occasion to mention more particularly on another subject, that the force at Niagara was twenty-four hundred. It is in these words, "Orders have been given to General Dearborn, to attack the enemy's posts at Niagara and Kingston, as soon as may be practicable. Our force at Niagara, according to General Dearborn's account, will amount to twenty-four hundred; and he will notify you of such movements and operations as he may order. It is indispensably necessary that a communication should be kept up between you and the commandant, at Niagara."—[Vol. 6, p. 128, 129.]

Notwithstanding the forces which were collected on the Niagara river, notwithstanding the militia of the State of New York, and all the recruits of the army, in the northern section of the country, were at his disposal, and notwithstanding the instructions, he had received from the government, not a single man, crossed the Niagara river, from the time he received those instructions, from the latter part of June, to the 8th of August, when he agreed to an armistice, or suspension of hostilities, in which the army I commanded was not included. This measure and the effect it had on my situation, will be the subject of my next number.

No. XXII.

It is a subject of regret to me, that in this memoir, I cannot present to you a certified copy from the records of the war office, of the original armistice or agreement between Sir George Prevost and General Dearborn, for a suspension of hostilities on the Niagara frontier; I am happy at the same time that I have it in my power, to furnish a satisfactory reason, why it is not presented, and to offer other documents, to prove its existence and contents. The following is a copy of a letter, from the Secretary of War, Mr. Calhoun.

War Department, 25th Aug. 1823.

SIR —Conformably to your request, I have had copies made of all the correspondence, between this department, and yourself; likewise the correspondence with General Dearborn, Governour Meigs, and Governour Scott, as far as the same can be had from the records and files of this office, and now transmit them to you. The copy of the armistice to which you refer, cannot be found on file, in this department.

I am, &c.

(Signed.) J. C. CALHOUN.

Gen. Wm. Hull, Newton, Mass.

After receiving this letter, I applied to Governour Eustis, who was at that time Secretary of the War Department, and he informed me, that it *was* received at the war office, and placed on the files of the Department. How a public document of so much consequence could be lost, appears in some degree mysterious. I shall however make no other comment on it, than to observe, that the high standing and character of Mr. Calhoun, and his prompt and honourable conduct, in furnishing me, with the other testimony, which I requested, and which his predecessor General Armstrong, had neglected to furnish, or even notice any application, forbids the most distant suspicion, of any unfair, or improper management on his part. General Armstrong was the immediate successor of Governour Eustis, who declares it was left on file in the office, and had the custody of the pub-

lic papers of the department. The following is a copy of the letter to General Armstrong, which was put into the Post Office in Boston.

Newton, (Mass.) May 10th, 1814.

SIR,—Having been officially informed, by the Adjutant General, of the result of the Court Martial by which I have been tried, and feeling it a duty, which I owe to my country, my family, and myself, to publish the proceedings of my trial, I request as soon as possible, a copy of the same from the War Department; which request is warranted by the 90th article of the rules and articles of war.

I am, &c.

(Signed) WILLIAM HULL.

Hon. JOHN ARMSTRONG, Secretary of War, Washington City.

This armistice had so fatal a bearing on my situation, that I must be excused, for disclosing every circumstance which had any relation to it.

To prove that this agreement was made between Sir George Prevost and General Dearborn, I will in the first place present a copy of a letter from the Secretary of War to General Dearborn, copied from the records of the war office.—[Vol. 6th, page 200.]

War Department, August 15th, 1812.

SIR,—Your letter of the 8th, with that of the 9th inst. enclosing a letter from Sir George Prevost, addressed to you, has been received. A letter addressed to the Secretary of State, covering a dispatch for Mr. Baker, late Secretary of legation of His Brittanic Majesty, from Sir George Prevost, has also been received, and the dispatch has been delivered to Mr. Baker.

No communication having been made to this government, by Mr. Baker, I am commanded by the President to inform you, that there does not appear to him any justifiable cause to vary or desist from the arrangements, which are in operation; and I am further commanded to instruct you, that from and after the receipt of this letter, and allowing a reasonable time, in which you will inform Sir George Prevost thereof, you will proceed with the utmost vigour in your operations. How far the plan, originally suggested by you of attacking Niagara, Kingston,

and Montreal, at the same time can be rendered practicable, you can best judge. Presuming that not more than a feint, (if that should be deemed expedient) with the troops on lake Champlain, aided by volunteers and militia, can be immediately effected, against Montreal, and considering the urgency of a diversion in favour of General Hull, under the circumstances attending his situation, the President thinks it proper, that not a moment should be lost in gaining possession of the British posts at Niagara and Kingston, or at least the former, and proceeding in co-operation with General Hull in securing Upper Canada. It is expected, that the force assembled at those places, particularly at Niagara, will be such as to justify your immediate orders for an attack, or if this should not be the case, that the measures you have taken for rendering it such, will prevent any material delay. You will of course communicate your views to General Hull, and direct the commanding officer at Niagara, to be particular in giving him every information which can be useful."

Before I proceed to make any comments on this letter, I will transcribe another addressed to me by the Secretary of War, giving me the information.

War Department, August 20th, 1812.

"SIR,—General Dearborn has communicated to this department, an arrangement by which it was agreed between him and Sir George Prevost, that offensive operations should be suspended until the determination of the government should be made known to him, on certain information *presumed* by General Dearborn to be contained in a dispatch, transmitted by Sir George Prevost to Mr. Baker, late Secretary of legation to His Brittanic Majesty in this city. It further appears by General Dearborn's letter, that he made known, and proposed to your concurrence, in said agreement, so far as your orders, and as circumstances might permit.

I am now instructed by the President to inform you that no communication, such as was *supposed* by General Dearborn might have been transmitted, has been made to this government, by Mr. Baker, or by any authorized agent of the British government, which will justify a delay, or suspension of any military operations, of which General Dearborn has been duly informed. In case therefore, you shall have entered into any stipulation

respecting a suspension of offensive operations, with the officer commanding the forces of His Brittanic Majesty in your vicinity, you will conceive it to be made known to him, that such stipulation, is, after due notice, to cease and determine, and you will proceed in the same manner as if no such agreement had been entered into."—See vol. 6, p. 128, 129.

In the close of the letter, I am informed that General Dearborn was ordered to attack the enemy's posts at Niagara and Kingston, that 2400 men were at Niagara, that he was ordered to notify me of his movements, &c. which has been cited in a former memoir.

As I before observed, I never received a letter from General Dearborn during the campaign; and it appears by the letter here recited, that it was twelve days after the armistice was agreed to, before the administration wrote to me from Washington, giving me information of it.

This letter I never received, and the copy I have here presented has been obtained from the records of the War Office. Indeed, the first information I received, that General Dearborn had established a peace on the Niagara frontier was from General Brock, immediately after the capitulation was signed. Neither the administration nor General Dearborn ever gave me any information of it, which was received. Thus it appears, that by the neglect of the General, and the delay of the administration, I was kept in ignorance of a measure which so materially effected my situation and had no knowledge of it until General Brock had time sufficient to collect and march all the forces of the province against me.

Before I close this number, I will observe, that from documents here produced. I do presume you will be as well satisfied of the following facts as if a copy of the agreement had been produced; viz. that it was entered into as early as the 8th of August, and that it provided for a suspension of hostilities, on the frontiers of Canada, in which the army I commanded was not included.

Having thus proved, what were the orders of the government to General Dearborn, and the measures he adopted; in my next number, after making some general observations, I shall consider the effect they had on my situation.

No. XXIII.

By the letter of the Secretary of War to General Dearborn, referred to in the last number, it appears, that the agreement he had made with Sir George Prevost, for a suspension of hostilities, was entirely disapproved by the President, and he was commanded to cause it to cease, after due notice. It is impossible to account for the motives which induced him to adopt the measure. All my letters, stating my situation in the enemy's country, had been sent to him by the Secretary of War. He knew that the lake was shut against me; and, by the Secretary's letter, he was informed, that a body of Indians had assembled on the road I had opened through the wilderness, and had stopped a company of Ohio militia, at the Miami, which was escorting provisions to Detroit, for the support of my army. He knew by the same letters, sent to him by the Secretary of War, that Michillimackanack had fallen; that the savages had joined the British standard. and all the northern and western tribes were marching in hostile array against me. Under these circumstances, if his own military experience, and knowledge did not teach him his duty, viz. the necessity of co operation with the forces under my command, he had before him the positive orders of the government. After making this agreement, it became impossible for him, during its continuance, to have obeyed the orders of his government, in making diversions and co-operations, without a violation of the faith he had pledged. Had he the power, by his commission, to make an agreement which would render him incapable of obeying the orders of those from whom he received his authority? I ask, then, by what authority did he make this armistice? It was not by the authority of the government, because, in my former numbers, I have cited the letter of the government, by which the measure was disapproved, in the most pointed language. But suppose, by his commission as the senior Major General in the army, a discretionary power was vested in him to make an armistice; did he in this instance, exercise that power properly, by agreeing to a measure, which totally disqualified him from carrying into effect the orders of his government? I ask you, then, my fellow citi-

zens, on what grounds this measure can be justified? If it cannot be justified on military principles, permit me again to ask you, what motives could have induced him to have adopted it? I will not even ask the question, whether it was to shield himself from personal danger, in attacking the enemy's posts, and co-operating with the forces under my command. I have too often witnessed his bravery during the war of the revolution, to make a suggestion of the kind.

Was it the fear that the forces under my command, having first made the invasion of Upper Canada, would have shared some part of the glory, in the event of conquest?

When he was commanded by the administration to concentrate his forces at Niagara, and co-operate with me, and only make a feint againt Montreal, why did he direct the principal part of them to Plattsburg and Burlington, on lake Champlain? He must have foreseen, that by agreeing to the suspension of hostilities, in the manner he did, the whole force of the enemy would be removed for the defence of that part of the province which was invaded. This he must have perceived, unless he had become giddy by his elevation, and could not discern his duty. It is possible, that it was not his expectation that the government would approve of the measure, and would have ordered it to have ceased, after giving due notice; and in such an event, before the enemy's force could have returned to Montreal, he might have advanced his forces from Plattsburg and Burlington, and taken possession of that capital. In such a case he undoubtedly supposed all the glory would be his own, and that such an achievement would have more than compensated for the sacrifice of my army.

If he were not influenced by any of the motives which have been here suggested, let me ask you, whether they were not the same, which induced him, in publishing a narrative of the battle of Bunker Hill, to open the tomb, and violate the ashes of the brave General Putnam, more than twenty years after he had rested from his patriotic labours?—a chief whose name alone was a host at the commencement of our revolution, and whose gallant deeds, are identified with the glory of our country. Putnam was then a general and Dearborn was a captain.

If he were capable of making representations intended to blast the laurels, which had so long flourished around the tomb,

of this brave commander, does it not in some measure account for his motives, in attempting to rob me of the little fame, I had acquired in following the standard of the illustrious Washington, during the war of our revolution. Every man engaged in that memorable battle is entitled to glory; and had General Dearborn been contented with the share to which his rank and conduct entitled him, no one would have been so ungenerous twenty years after his death, as to have opened *his* tomb, violated *his* ashes, or attempted to blast even the *twig of a laurel*, which *might* have been found, growing around it.

He must have known when he agreed to the armistice, that a very considerable time must elapse, even, if the government disapproved of it, before its operation would have ceased. The despatches must have travelled from his Head Quarters, to Washington, and from Washington back to Albany; he then must have given notice to Sir George Prevost at Quebec or Montreal, and have waited a reasonable time for this notice to have arrived. As the division of the army I commanded had no participation in the measure, he well knew the advantages he thereby gave the enemy in concentrating his whole force to the scene of my operations—he knew that during this period, it would not be necessary for the enemy to retain a single effective man at any of the stations, on the Niagara river, Kingston, Montreal, or any of the posts, in the eastern part of the province.—He well knew, that the whole force of the British army, in that section of territory, the militia of the Canadas, and the savages of the wilderness might be employed in opposing the offensive operations, I had commenced, and at that moment was engaged in prosecuting. He was perfectly acquainted both with my situation, and the situation of the enemy; that I was surrounded on all sides, and had no communication with my country; that by the command of lake Erie, and being in the possession of armed ships, transports, and boats, all the troops from fort Erie, fort George, with all the militia of that part of the province, might with the greatest facility, have been moved to any point, where their services were most necessary.—That two or three days would only have been required, to have transported them to Malden, or any part of the Detroit river—that by the command of lake Ontario the forces from Kingston, York, and that part of the province, with the same facility and despatch, might have

been removed to the west part of the lake, and marched to the same point—all these advantages, General Dearborn must have well known, would be given to the enemy, when he signed this agreement, for the suspension of hostilities.

In the course of these memoirs, I shall show, that all these advantages were made use of; and in consequence of this measure, which was unauthorized and disapproved by the government, the plan of the British commander succeeded according to the expectation, which was anticipated.

The measure I am now considering, my fellow citizens, had such an effect on my situation, that no apology, I presume will be necessary, for asking your very particular attention to all the circumstances, attending it.—It will be recollected from the copy of the letter of the Secretary of war, that he had received General Dearborn's of the 8th and 9th of August, communicating information of the suspension of hostilities, and the cause of it. Colonel Baynes, the adjutant-general of the army commanded by Sir George Prevost, was the officer appointed and authorized on his part to make this negotiation.—He must have arrived at the head-quarters of General Dearborn as early as the 6th or 7th of August;—consequently he must have left Montreal, as early as the first of August, the distance being about two hundred and forty miles—Sir George Prevost, calculating on the success of this measure, no doubt gave General Brock immediate information respecting it, as soon, as Colonel Baynes commenced his journey, with directions to proceed with all the forces, to Malden.—In addition to this, Major General Sheafe, marched with the forces from Montreal to Kingston, where a great part of them embarked, passed to the west part of Lake Ontario, there landed, marched to the relief of Malden, collecting the militia and savages on their march.

Thus it appears, that eight or nine days before the agreement was actually signed, all the British forces were put in motion, and concentrating to the only point where the invasion of the Upper Province had been made, and these arrangements must have been made on the presumption that Colonel Baynes would obtain a suspension of hostilities.

The inquiry now becomes important. What information had General Dearborn received by the Adjutant-General, which could have afforded even a shadow of colour for the measures he

adopted? This information was communicated by him, to the Secretary of War, and in the Secretary's letter to me, has been recited in the former number; and it is so important it should be perfectly understood, that I will here again repeat the substance of it—He says, that General Dearborn has communicated an arrangement, by which it was agreed between him and Sir George Prevost, that offensive operations should be suspended, until the determination of the government should be made known to him, on certain information, *presumed by General Dearborn, to be contained in a dispatch transmitted by Sir George Prevost, to Mr. Baker late Secretary of Legation to his Brittanic Majesty in this city.*

The Secretary, further says that he was further instructed by the President to inform me, *that no communication, such as was supposed by General Dearborn, might have been transmitted, has been made to this government.* This letter, which was presumed to contain the information, was not addressed to General Dearborn, but to Mr. Baker, at Washington, and he had no other grounds for consenting to a suspension of hostilities, than a bare presumption, that it *might* contain something which *might* render such a measure proper. The grounds even of this presumption could have been nothing more, than his conversation with the Adjutant-General, and the sight of this sealed despatch to Mr. Baker, which he was requested to send to the Secretary of State, to be delivered according to his discretion. I now ask you to imagine a reason, why he did not wait for the orders of the government, before he made an agreement, which was so important in its consequences?

In my next number I shall consider the effect, which it had on my situation.

No. XXIV.

The motives of Sir George Prevost, in sending his Adjutant-General to the head-quarters of General Dearborn, at this time, I think, must be evident from the statement of facts in the pre-

ceding numbers, and from considerations, which I shall now offer. At this time, no part of the enemy's country was invaded, excepting by the forces from Detroit, under my command. To repel this invasion, must have been a desirable object of the commander-in-chief of the British army. He could not withdraw his forces from the east part of Upper Canada, consistently with the safety of his posts, at Fort Erie, Fort George, Kingston and Montreal, because he well knew General Dearborn had collected, and was collecting troops, opposite to those stations. He therefore found it necessary to devise some plan, by which his troops, on those stations might be withdrawn, and employed under the command of General Brock, for the support of Malden, and the protection of the part of the provi ce invaded, and in a manner consistently with the safety of the posts which have been mentioned. The stratagem, which has here been described, was formed by the enemy, and assented to by General Dearborn, and its success was complete. He was induced to enter into an agreement that his troops should only act on the defensive, at those stations, from which General Brock wished to withdraw his troops, and indeed which extended to the whole frontier, excepting where the invasion was made.

In pursuance of this plan. all the forces were withdrawn from the stations I have mentioned, excepting a few invalid soldiers to take care of the fortifications, cannon, &c. These forces, with the militia of the province, and all the savages which could be collected, were immediately transported by water, over the lakes to Malden and Sandwich, under the command of General Brock, as re-enforcements to the enemy's army at those stations. General Brock arrived at Malden on the 14th of August, during the suspension of hostilities below, and on the 15th marched to Sandwich opposite to Detroit, from which place I had retreated, for the reasons stated in the former numbers of these memoirs. About 12 o'clock on the 15th, I received a letter from General Brock, by Lieut. Colonel McDonnell, and Major Gregg, of the British army, who came under the sanction of a flag of truce.

"*Head Quarters, Sandwich, August* 15, 1812.

Sir—The force at my disposal authorizes me to require of you the immediate surrender of Fort Detroit; it is far from my inclination to join in a war of extermination; but you must be

aware that the numerous body of Indians, who have attached themselves to my troops, will be beyond my controul the moment the contest commences; you will find me disposed to enter into such conditions as will satisfy the most scrupulous sense of honour. Lieut.-Colonel McDonnell and Major Gregg, are fully authorized to conclude any arrangement that may prevent the unnecessary effusion of blood. I have the honour to be your obedient servant.

[His Excellency, Brigadier General Hull, commanding at Fort Detroit.

Signed ISAAC BROCK, Major General, commanding his Brittanic Majesty's forces, Upper Canada."

To this letter, I immediately returned the following answer.

"*Head Quarters, Detroit, August* 15, 1812.

Sir—I have no other reply to make, than to inform you that I am prepared to meet any force which may be at your disposal, and any consequences which may result from an exertion of it, you may think proper to make. I am, &c.

His Excellency, Major General Brock, commanding his Brittanic Majesty's forces, Sandwich, Upper Canada.

Signed WILLIAM HULL, Brig. General, commanding the North Western army of the United States."

This letter was the first information that I received of the arrival of General Brock, with the forces from Fort Erie, Fort George, and the other stations on the east part of Upper Canada. Indeed it was hardly possible for me to have received the information, as he came by water with his re-enforcements, and had the exclusive command of the lake.

By my former numbers, it appears, that before I recrossed the river, I had received letters from Generals Hall and Porter, who commanded the American forces on the Niagara river, that the British forces had moved from their stations on that river, and the east part of the province, and were passing over lakes Erie and Ontario, towards Malden. In those numbers, I likewise stated how mysterious this information was. The arrival of General Brock, with the forces, still added to the mystery. It will be remembered, that I had received no information from

General Dearborn, or from any other quarter of the suspension of hostilities; and I knew that a large American force had assembled, and was assembling on the Niagara river, directly opposite to the British posts. It was likewise well known to me, that that part of the province was of much more importance to the British interest than Malden, and the territory on the Detroit river and its vicinity. It appeared to me certain, that the British forces could not have been withdrawn from those stations, without exposing them to an invasion, and to be taken possession of by General Dearborn's forces on the Niagara river, directly opposite to them, and only separated by the river. I ask you, my fellow citizens, to reflect on my situation, and consider for a moment, the embarrassments at this time occasioned to my army.

General Brock was not only the Major General of the army, but the Acting Governour of the province. Could I have believed that the Governour of the province would have left the most important part of it, without the means of defence, exposed in the manner I have stated, and liable to be invaded, and possessed by the American forces? Such an event would have been the most disastrous of any which could have happened to him. By possessing both sides of the Niagara river, we should have commanded the water communication to Malden, and the whole country above, which was the only communication on which that post, St. Joseph's on lake Huron, and indeed the whole North West Company depended for supplies. Had we therefore taken possession of Fort Erie, Fort George, and the other posts on the Niagara river, their communication would have been obstructed, and they must have perished for the want of the means of subsistence. I again ask, on what grounds I could have possibly conceived, that General Brock had left that vital part of his province, and drawn his troops from situations on whose protection their very existence depended. Had it been possible for me to have imagined the case, which actually existed, that General Dearborn had agreed to a suspension of hostilities, I should have believed it certain, that he would have stipulated, that all the troops, which were parties to it, should remain in the same situation, they were, at the time it was made, and expressly, that none bound by the armistice should be employed, against those which were not included in it. If he had

possessed any knowledge of his duty, he would have known this to have been the invariable practice in similar cases. But in fact, I did not *even* imagine, that it was possible a measure so fraught with the certain destruction of my army could have been adopted by him.

But so it was, and almost all the enemy's most important posts were perfectly safe, when only guarded by a few invalids, to take care of the barracks, &c. The Secretary of War, it will be seen by his letter referred to in a former memoir, stated, that by General Dearborn's letter to him, the General had informed me of the measure, and had proposed a similar one to my concurrence. If it were sent, it only reached me before the capitulation from the mouths of General Brock's cannon; after that event, he, (General Brock) informed me that it had taken place at Niagara, and all the other posts below were embraced in it. Perhaps it may be asked, when I perceived the forces of the enemy, of all descriptions concentrating and bearing upon me from every quarter, why I did not retreat from Detroit, and save my army from capture? as I wish to answer every inquiry, and, if possible, remove every doubt, with respect to the propriety of my conduct, I will here state the reasons. To those who are unacquainted with the situation of the country, this would probably be a natural inquiry. In the manner in which these memoirs are published, I cannot present a map of the country which was the scene of my operations. I fear it will be difficult to describe it in such a way that it will be perfectly understood. I must ask you in this case to examine some general maps of the country, from Detroit to the foot of the rapids of the Miami of lake Erie. The distance is about seventy miles. The only road through which I could have retreated, runs from Detroit as far as Brownstown, on the banks of the Detroit river, about twenty miles; and from Brownstown to the foot of the rapids, about fifty miles; in some places on, and in others near the borders of lake Erie. This road was very difficult to pass, a great part of it being through a wilderness, and had only been opened by my army, when advancing to Detroit. Its course, for seventy miles being on the margin of a navigable river, and the lake and General Brock with his army being opposite to Detroit, with a number of armed vessels, gun-boats, and a sufficient number of flats to move his troops on the water, would

have had such an advantage in attacking a retreating army, especially when aided by his numerous tribes of savages, that I then thought and I now think, that an attempt of the kind would have resulted in the total destruction of the army. With his boats, protected by his armed vessels and gun-boats, his troops might have been moved on those smooth waters with the greatest celerity, and landed in the front, rear, or on the flank. and harrassed my march in such a manner that it would have been impossible to have effected it; besides we must have encountered the difficulty of passing a number of rivers without boats, and over which there were no bridges. The only places where some of these rivers could have been crossed, were near the navigable waters commanded by the enemy's naval armament, and no boats could have been provided for the purpose. There would have been no other mode of effecting the passage, but by swimming or constructing rafts, in the face of the enemy. Situated as I was, after the arrival of General Brock with the re-enforcements, I think you must be satisfied, that nothing could have justified an attempt of this kind, especially when the nature of the country, and the character of the enemy, which would have assailed my army during this long march, is considered. The reasons which prevented me from retreating and taking a position at the Miami, immediately after recrossing the Detroit river, have been stated in a former number of these memoirs. I presume this will be considered as a satisfactory answer to the inquiry.

In my next number, I shall proceed to a consideration of my situation at Detroit on the 15th of August, when I received General Brock's letter, and the position, and numbers of the enemy; after which I shall state the reasons which induced me to agree to the capitulation on the 16th. Before, however, I close this number, I must ask your indulgence, my fellow citizens, in making such observations and reflections as will naturally arise from the facts and documents which have been presented in the last numbers of these memoirs in relation to the conduct of General Dearborn.

After considering the facts and evidence which has been adduced to prove them, I ask who has been guilty of the vile and base charges which have been imputed to me? Who has been guilty of unofficer-like conduct? If *I* had been in General

Dearborn's situation, and *he* had been in mine, and *I* had received the same orders from the government which it has been proved *he* received, respecting the invasion of Canada, would you not have had a right to have said that *I* had been guilty of unofficer-like conduct? If thus situated, *I* had received the same orders *he* repeatedly received, to make diversions in the enemy's country, to attack their posts and to co-operate with *him*, *I* had not only neglected to obey these orders, but had agreed to a suspension of hostilities, from which his army was excluded, I ask you whether *I* could have complained of the vile charge of cowardice being imputed to me? If further, *I* had agreed to a suspension of hostilities, in the manner and under the circumstances General Dearborn did, whether it would not have afforded some colour to have supposed it was with treasonable views? I wish it to be distinctly understood, that I impute nothing criminal to him, and have made these reflections with no other view but to exhibit in a strong light, that there was not the least foundation for criminal charges against me.

For the present, I shall take a farewell of him, and if the facts and documents which have been presented shall cause any unpleasant sensations in his mind, I regret that I can offer no balm to cure the stings and wounds which his own reflections must inflict.

Before these memoirs are ended, he will again be introduced, as President of the Court Martial before which I was tried, and his conduct in that character will be particularly examined.

As you, my fellow citizens, are the legitimate and final tribunal, if you are satisfied that the facts which have been here stated, are proved by the evidence which has been offered, and that the measures *he* adopted were the cause of the misfortunes of the campaign, and the disasters which attended the army I commanded, it is to be hoped, on account of his age, his respectable connections, and his revolutionary services, your clemency will be exercised, and the punishment which would be justly due to such conduct will be remitted.

For the same reasons here expressed recommending him to your mercy, in a former number, I stated, that it would have been a happy consideration, had it been in my power to have exhibited the truth in vindication of my own honour, without any impeachment of his character.

No. XXV.

A KNOWLEDGE of the number, and character of the enemy's forces, at the time of the capitulation, and likewise of those under my command, is so important in forming a correct opinion that I shall ask your very particular attention to an examination of both these subjects.

Before I proceed to offer you the evidence of them, it is a duty which I owe to you, and to myself, to state particularly the reasons why this evidence was not presented to the Court Martial, and why it has not before been presented to you; and likewise, why it will not be in my power, even at this time, to spread before you, the whole which existed in the case.

The same causes have prevented me from giving a more minute detail of the transactions and events of the campaign. The reasons are the unfortunate loss of my papers, both of a public and private nature. A part of them were taken in the Cayahoga packet, the particular circumstances of which have been related in my trial.

After the capitulation, I left Detroit, a prisoner, not knowing my place of destination. One of my daughters was with me, and expected in a few days to return to my residence in Massachusetts. As I should have no occasion for these papers while a prisoner, I thought it advisable, to pack them in trunks and commit them to her care, to be carried to my home, at the place where I now reside.

A short time after, my daughter passed lake Erie in a British vessel, and arriving near Buffalo in the evening, she was put on shore at that place, with an assurance from the captain of the vessel, that her trunks, &c. should be sent to her the next morning. In the course of that night, the vessel was attacked by a party of our sailors, under the command of Captain Elliot, and in the contest was burnt. By this event, all these papers were destroyed.

The most material of these documents, were copies of all the orders I had issued to the army, from the day I took command of it, to the time of the capitulation. All the returns and daily reports, which were made to me. The letters which I had re-

ceived from the Secretary of War, and the Governours of Ohio and Kentucky. Copies of all the communications which I had made to these officers and many others; likewise a daily journal of the operations of the army, and the events which took place during the period above mentioned; likewise the information I had received of the numbers and movements of the enemy during the campaign.

At my trial before the Court Martial, I had no other documentary evidence, excepting what the administration was willing to furnish from the records of the government. Some papers which were necessary to exhibit a true state of facts, could not be found on the files and records of the public offices. After my trial, as I have before remarked, I applied for a copy of the proceedings of the Court Martial, and all the documents relating to the compaign, and could not obtain them. Lately, Mr. Calhoun, as I have before stated, has furnished me with copies of all the documents which can be found in the War Office. Many very important papers now, which ought to be on the files and records of the government, cannot be found; even one of so important a nature as the armistice, entered into by General Dearborn, cannot be obtained. This fact is certified by the present Secretary of War, in his letter to me, which has been published in a former number. My orders to the army, daily journal, reports, and letters, giving me accounts of the numbers and movements of the enemy, and many other important documents are irreparable losses.

The destruction of this vessel is a subject of public notority, and were it necessary, the testimony of my daughter, and others who assisted in packing the papers, and who well knew the contents of them, might be here added. I will not encumber these numbers, at present, with this evidence. If the truth of these facts shall be doubted by any reader, the evidence shall be published.

Some of the Adjutants preserved their orderly books, and I requested the Judge Advocate to direct them, when they were summoned as witnesses, to produce them. They however, either forgot them, or did not incline to present them to the Court.

I will here recite the circumstances of another important document which I could not obtain, at the time of my trial, which

has been referred to in a former number, and I will copy from my defence, the statement and evidence which I offered to the court martial, respecting it.

"A few days after I was appointed to the command of the North Western Army, I presented another memorial to the President, through the war department, in which I was explicit as to what might be expected from such a force as I was to lead; as to the necessity of re enforcements; of our commanding the lake; and, of a co-operation in other quarters.

"My draft of this memorial I have lost, in the way I shall hereafter explain. The existence of the original and its general purport, is proved by Mr. Eustis, who in his answer to the 6th and 7th interrogations addressed to him, says, 'I have a perfect recollection of your having presented the memorial referred to in the interrogatory.' 'I recollect,' he adds, 'your attendance by appointment, at the War Office. The memorial or that part of it which related to the naval defence of lake Erie, was referred or communicated, to the Secretary of the Navy, who was present. The brig Adams, which had been employed as a transport, under direction of the war department, became the subject of conversation. Whether she was (being then on the stocks repairing) actually transferred to the Navy Department, I do not distinctly recollect. If that was the case, the evidence is on record.' Yet this memorial, or a copy of it, I have never been able to obtain.

"I have applied for it to the Secretary of War, he referred me to the Secretary of the Navy; the Secretary of the Navy to Mr. Dallas, [who was then employed by the administration in the prosecution against me;] to him I applied, and he referred me to the present Judge Advocate, who knows nothing of it. And finally when my trial commenced, I addressed a letter to the President of the United States, requesting him to interfere his authority to procure me a document, which I considered so important in my defence. It was, sir, too much for me to have expected an answer from the President himself, though the time has been, when such an answer would not have been considered as conferring too great an honour. The President referred my letter to the gentlemen at the head of the War and Navy Departments. They also would not condescend to answer my letter, but handed it over to their clerks. I ask, would it not

have comported with the importance of the occasion, the decorum due an old man and a veteran soldier, not yet convicted of any crime, for the Secretaries themselves to have addressed me? But in answer to my letter, I received a letter from the chief clerk in the War Office, dated the 12th of February, 1814; with a certificate from the chief clerk in the Navy Department. The letter from the War Office, is in the following words:

"*War Office, February 12th*, 1814.

SIR,—Your letter of the 1st inst. addressed to the President of the United States, has been referred to me. In answer to which I have the honour to state, that all your communications to the War Department, after you were appointed Brigadier General in the army, have been transmitted to P. S. Parker, Esq. Judge Advocate of the Court Martial, now sitting at Albany, together with such others as you had required, as far as they could be found on the files of this office. The public records of papers of the War Department have been constantly within my observation and charge for several years past, and I assure you, Sir, I have never seen or heard of a memoir pointing out the necessity of a navy on lake Erie. Since the receipt of your letter, I have carefully examined the files, and enquired of every gentleman attached to the department without being able to give any information on the subject.

I have the honour to be,

Sir, very respectfully,

Your O'bt. servant,

DANIEL PARKER, *C. C.*

Brig. Gen. Wm. Hull, Albany.

"It is unaccountable, that a public document of this nature should be lost. That it did exist, and was on the files of the war office, is proved beyond controversy, by the deposition of the late Secretary of War, who declares that he has a *perfect recollection of it.* But a most extraordinary part of this letter from the War Department, is that which states, that the writer has had the public records, and papers of the War Department constantly under his charge and observation for several years past; yet, that he never knew or heard of a memorial, pointing out the necessity of a navy on lake Erie. It is a fact hardly to

be creditted, that a copy of the memorial of the 6th of March, 1812, from which I made that copy which I have just read to the court, is certified as a true copy from the files of the War Office, *by the very gentleman*, who writes me the letter of the 12th of February. Let me quote from the memorial of the 6th of March, or rather from the copy certified as I have mentioned above, a passage which is in the following words:

'If, sir, we cannot command the ocean, we can command the inland lakes of our country. I have always been of opinion that we ought to have built as many armed vessels on the lakes as would have commanded them. We have more interest in them than the British nation, and can build vessels with more convenience.'

"When the writer of the letter had certified a copy of this memorial but a few days before, how could he say, that he never knew or heard of a memorial, (from me to the government) pointing out the necessity of a navy on lake Erie?"

I shall more particularly feel the loss of the documents which were destroyed in the vessel, in a future paper, in which I shall state the number of the effective force, under my controul, at the time of the capitulation. Perhaps you may think it an intrusion, and I certainly feel a degree of humiliation, in asking your attention, one moment to my private losses, and my private misfortunes, as respects property. This I should not do, had it not been rumoured, and probably believed by some, that I had been influenced by the base and grovelling motives of self-interest, in the measures I agreed to, as the commanding General of my country's forces. The bare mention of the subject excites the most indignant feelings, and I believe no just and honourable man, who ever knew me, for a moment entertained an opinion of the kind. In the year 1805 when I accepted the office of Governour of the territory of Michigan, I disposed of all my property in Massachusetts, excepting the farm on which I now live, which I hold in right of my wife. After paying my debts, a considerable sum remained This was transferred to the Michigan territory. Before my arrival, the town of Detroit was burnt, with all the public buildings, in one of which I was to have resided. For my accommodation I was obliged to build a house, and engage mechanics in this part of the country. Under the circumstances of the territory, comfortable

accommodations were provided at very great expense. All the property which I possessed, excepting the farm I have mentioned, was vested in that country. All this property I have since sold, and the proceeds of it, have not been one third part as much as I carried to the country.

During my command of the North Western army, no military chest was furnished, and I never received one dollar from the government to defray the necessary contingent expenses of the army. The Secretary of War, placed in the bank of Pittsburg, ten thousand dollars to my credit, for defraying these expenses, and gave me notice accordingly. At that time there was little or no communication between Pittsburg and Detroit, and I could not obtain money for bills on that Bank. I made use of my own money and credit to defray those necessary expenses to the amount of sixteen hundred dollars, on the credit of the ten thousand, which was thus deposited. For this sixteen hundred dollars, I took regular vouchers, which were with my other papers, and were lost in the vessel, as before stated. As soon as the administration, received information of the capitulation, the whole of this ten thousand dollars was withdrawn from the bank, by the Secretary of War, and I never have received the sixteen hundred dollars or any part of it, which I disbursed for the public, to defray these necessary expenses. I have presented my account, and evidence to show, the once existence of the vouchers, and the manner in which they were lost. The objection to an allowance of the claim, by the auditor is, that as I am not a public defaulter, and owe the government nothing, he is not authorized to hear the evidence, with respect to the loss of the vouchers, as the government will have money to pay, provided the account were allowed. But if on the other hand I had been a public defaulter, the auditor in that case would be authorized to cancel the demand of the government, on being satisfied with the loss of my vouchers.

I do not now possess more property than is sufficient to pay my just debts, excepting the farm on which I live, which as I before observed, I hold in the right of my wife. And I can say with truth, had I not been so fortunate as to have lived among friends, and experienced their generosity, it would have been impossible for me, on my farm, at my age, for twelve years past, to have supported my family, with common decency.

I have made this statement to satisfy you how much I have been injured, and to repel the base and wicked insinuations, which have been more than rumoured against me. It will be easy for me to produce evidence of all these facts, if any one desires it.

It is only necessary to look at the newspapers of that day, to prove the pains which were taken to excite your prejudices against me.

Every skipper of a boat, every unprincipled adventurer, and follower of the army, who was at Detroit, and every drunken soldier who was returning home, were placed in requisition, and taken before magistrates, and oaths were prepared for them, with respect to the number of my army, and the number of the enemy, and the boxes of gold, which were carried to my house, as the consideration for the capitulation. After keeping me nearly two years in arrest, and during that time, searching for evidence to prove the charge of treason against me, the Court Martial was obliged, as not the faintest colour of evidence appeared, to acquit me of that charge, and all the specifications under it. I must be excused, my fellow citizens, for this digression, and defer the evidence, with respect to General Brock's force to my next number.

No. XXVI.

Before I relate the events of the 16th of August, 1812, and assign the reasons, which induced me to agree to the capitulation, I will ask your attention,—

1st. To the position which General Brock had taken, on the 15th, with his army.

2d. To the number and character of the forces, which were under his authority and controul, which were in suitable situations, and might have immediately been ordered to re-enforce his army, with the most perfect safety to his other posts, before it would have been possible for me to have received any assistance.

3d. To the number and character of the forces, with which

he actually invaded our territory on the morning of the 16th of August.

With respect to the position he had taken, it was at Sandwich, on the opposite bank of the river, more elevated than the fort of Detroit, and from which, with his cannon and mortars, he could throw shot and shells into the town and fort.

With respect to the number and character of the forces, which were under his authority and controul, which were in suitable situations, immediately to re-enforce his army before I could have received any aid, it is to be observed, that he was not only the General of the army, but the acting Governour of Upper Canada, and had the superintendence and direction not only of the numerous tribes of Indians, who resided in the British dominions, but likewise those who inhabited our territories, had joined his standard. Consequently all the British troops, in the different stations, at fort George, York, Kingston, fort Erie, and Chippewa, with all the militia of the province, and all the Indian warriours, in the northern and western region, were subject to his controul and authority.

In addition to these sources of strength, the numerous retainers of the wealthy and powerful Northwest Company, were called from their stations, and hunting grounds, and offered their services, after the fall of Michillimackanack, in the reduction of Detroit. It is well known, there are more than three thousand men employed by this company, and that their supplies are carried over lake Erie, and pass up Detroit river, and that their existence depended on keeping open that communication. And it appears by Mr. Mc Kenzie's letter, one of the principal agents of that company, which has been recited, that they were prepared, with numerous hosts of savages, to proceed against Detroit, whenever their services should become necessary. It further appears, by the letter of the Secretary of War to General Dearborn, which has been recited, that the savages had assembled on the road, which I had opened from Ohio, and had stopped the militia which were escorting provisions to Detroit. I will here recite an extract of a letter, which I received from Colonel Anderson, who commanded at the river Raisin, dated the 4th of August, which was in evidence on my trial, and is to be found in the 20th page of the appendix.

"I am doubtful if the mail is not taken, but I hope not. I do

all in my power to keep up the spirits of the inhabitants, which is all but exhausted. There is forty men on guard and patrole at this place, and ten at the other Creek, and will continue the same until further orders. We are short of ammunition, if attacked, please to keep a little for us, if possible. I understand by good authority, that numbers of Indians, are passing on the heads of this river (meaning the river Raisin) and river Huron, on their way to Malden; and I think if some plan is not taken soon, that they will be in thousands at that place before long, &c. &c.

(Signed) JOHN ANDERSON.

P. S. In behalf of the inhabitants, I request you will not order away any of the people from this place; for we are too few for its defence. If it was possible to be succoured, would be best. *(Signed)* J. A.

This letter was received after the reduction of Chicago, and it appeared that the Indians, who had taken that fort, with those from the western region, were marching to join those at Malden.

With respect to the British troops, militia, and savages of the province, they were unnecessary at any other stations, because the armistice entered into by General Dearborn was then, and had been for eight days in operation. General Brock left the vital part of the province, where General Dearborn had established a peace, and commanded in person the expedition against Detroit. He was a Major General in the British army, and had a high reputation as a military officer. On the success of this enterprize, not only his military fame, but the protection and safety of his province depended. Having these sources, and the means of augmenting his army, under his controul and authority, I ask you whether it is possible for you to believe, that he did not make use of them, and assemble and order under his immediate command, before he made the invasion of our territory, a force competent to the object? At this time, I had received no information of the armistice; yet I had received information from Generals Hall and Porter, who were in command on the Niagara river, that all the forces of every description from the east part of the province, were proceeding to Malden.

When, therefore, General Brock had the means of augmenting his army, with perfect safety to the other parts of his pro-

vince, to at least ten times the number of those under my command, and when on the 15th he appeared on the bank of the river at Sandwich, opposite to Detroit, and summoned me to surrender the Fort of Detroit, and not only declared in his summons, that his force justified him in making the demand, but that the tribes of savages, which had joined his standard, were so numerous, that it would be impossible for him to restrain them, the moment the contest commenced. I ask you, fellow citizens, whether the facts here stated, did not afford strong reasons for me to believe, that his forces were much superiour to mine, and competent to the object, which he had in view?

To this summons, I however gave a decided answer, that I should defend the fort; hoping to be able, before he made the invasion, to collect at Detroit, the detachment under the command of M'Arthur and Cass, which had marched to the river Raisin, and other detachments, which were absent on other duties. And I now again ask you, whether his landing with his army the next morning, did not afford additional evidence of the competency of his force?

The moment I received information of the arrival of General Brock, I sent orders to M'Arthur and Cass, immediately to return to Detroit, and stated the reasons. On the morning of the 16th, when the invasion was made, I had received no information from them. The route they marched, as I have before observed, was about fifty miles through a wilderness. They were sent to procure the means of subsistence, for my army. *To satisfy, how easy he might have increased his numbers, I refer you to the testimony of Captain Eastman, of the 4th regiment, who was a witness in behalf of the administration; "that he was at Detroit, and says that fourteen hundred Indian warriours, arrived as re-enforcements, a few days after the capitulation, from two stations only, viz. Saganau and Michillimackanack." The facts and circumstances here stated, furnish you with solid materials, to form a general estimate of the force, and strength which General Brock, at this time, had it in his power to have brought against me; and I believe you will be satisfied that he availed himself of the advantages of collecting as large a force, as he deemed necessary for the object.

* See page 100 of my trial.

In making your estimate on this subject, you will recollect, the orders General Dearborn had received, immediately after the declaration of war, to order the troops under his command to the Niagara river, and other suitable situations for the invasion of Upper Canada, and he was likewise ordered only to make a feint against Montreal, and not even a feint against Quebec. Fort George, and all the other British posts, on the east part of Upper Canada, being thus threatened with invasion, and Quebec and Montreal, &c. not even being threatened, it requires no evidence to prove, that the principal part of the British forces were drawn from those lower stations, to re-enforce and support those which were in danger.

From these facts, it may very fairly be presumed, that the principal part of the British forces were at these stations on the Niagara river, directly opposite to General Dearborn's army and only separated by the river. Let me then in the first place ask you, after peace was established with General Dearborn, to make your estimate of the British force, which General Brock might with the most perfect safety, have carried with him to Malden?

In the next place, the population of Upper Canada at that time, was about one hundred thousand inhabitants. If only every tenth inhabitant was on the militia, the number would have amounted to ten thousand. I ask you to consider, under the quiet and peaceable circumstances of the east part of the province, what number of militia, the British General and Governour, might have taken with him in his expedition for the defence of the only part of his province which was invaded?

Being the superintendant of Indian affairs, within the British territories, and the numerous tribes of savages within our own country, having joined the British standard, I ask you to calculate what number of this description of force, it was in his power to have assembled, for his assistance? From knowledge of the wealth and influence of the Northwest Company, and the numerous *Engagees* in their service, and the deep interest they had in opening the communication through the Detroit river, through which channel, they received their supplies, you will be able to judge what aid, he might have received from that important establishment.

After the fall of Michillimackanack and Chicago, the forces

which reduced those places, could have had no other object, excepting the reduction of Detroit. and those from Michillimackanack were descending the upper lakes, for the purpose, as appears by Mr. McKenzie's letter, and other testimony, and those from Chicago, and the western wilderness were marching to the same place, as appears by the letter of Colonel Anderson, who commanded at the river Raisin, which has been recited. The river Raisin, it will be seen by looking on the map, is in the direct course from Chicago to Malden.

I have taken this view of the subject, fellow citizens, to furnish you with facts and materials, to assist you in forming a correct judgment of the forces, which the British General, had it in his power, to have assembled, for the invasion of our territory, before I could have received any assistance, from any quarter whatever. Perhaps I may be censured by critics, for repetition and digression. I have no other object in writing, but to communicate the truth, and have it distinctly understood by all classes of my fellow citizens, even by the youngest children who attend our schools and to correct the erroneous statements which have been published. It is a fact which will appear evident from the testimony, which has been, and will be presented, in the course of these memoirs, that many of the school books which are made use of for the education of the rising generation, contain the grossest falsehoods on this subject. It is a misfortune, which every good man will lament, that such books should be admitted into these most valuable of all our institutions, and that any of the rising generation should be taught errour and indeed falsehood, instead of justice and truth, with respect to the history of our happy and prosperous republic.

I s all now ask your attention, to a consideration of the evidence, which I shall offer, to satisfy you of the number of the forces, with which General Brock actually crossed the Detroit river, and invaded our territory on the morning of the 16th of August.

In addition to the re-enforcements, which attended him, from the east part of the province; he had all the forces which were at Malden, when he arrived; to ascertain that number, I will here offer to you the same evidence, which my prosecutors made use of at my trial, (viz:) the testimony of Lieutenant Forbush. Lieutenant Forbush was made a prisoner, in the Cayahoga pack-

et, the 1st day of July, and remained at Malden until the 16th of August; he was then a Serjeant, and was promoted by the administration, to the rank of Lieutenant, two grades, before he gave his testimony. He was selected and examined by the Judge advocate, to prove the numbers, which were at Malden, at the time mentioned, and which had been there, from the 1st of July. I only examined him to prove the circumstances of the vessel being taken, and to ascertain the number of Indians, he counted at Malden, on the 15th of August. His testimony was as here follows.

"I was then Sergeant in the 4th regiment of Infantry, and had charge of the sick and of the hospital stores. The enemy permitted me to go about the works at Malden, and I was little restrained. I took every opportunity I could of counting them. The regulars, when I arrived, were from eighty to an hundred. From two hundred and fifty to three hundred militia. Perhaps three hundred to three hundred and fifty Indians." This force amounting to seven hundred and fifty, was at Malden, on the 1st day of July, when my army was opening a road in the wilderness, seventy miles from Detroit, and before I had received any information of the declaration of war.

Lieutenant Forbush then, being asked by the Judge Advocate what number of troops arrived at Malden afterwards, answered, "There were in the Hunter thirty regulars, and in the Lady Prevost from thirty to forty regulars. This was about the 20th of July; and after the battle of Brownstown, there were three hundred arrived in red coats." These regulars, or red coats, amount to three hundred and seventy, which added to the seven hundred and fifty which he testifies were at Malden the 1st of July, makes the number eleven hundred and twenty. He then says, "he counted in one body, on the 15th of August, six hundred Indian warriours, passing up, (that is from Malden to Sandwich) some on horse-back, and some on foot." He further says, that from the 20th to the 30th of July, many of the militia went to their farms and returned, making as many as before; he then says, nine hundred was the whole force at Malden, exclusive of the red coats. By his former testimony, given in detail, the red coats amounted to four hundred and seventy—add this to the nine hundred, makes thirteen hundred and seventy—add to this number the six hundred Indian warriours, which

he counted at one time, and at one place, at Malden, on the 15th, and it makes the whole number nineteen hundred and seventy.

I wish this subject, viz. the numbers at Malden, exclusive of the re-enforcements which arrived with General Brock, to be distinctly understood. General Brock, the latter part of the night of the 14th of August, marched from Malden to Sandwich, with the British troops and militia, and arrived early in the morning of the 15th; and hundreds of witnesses might be produced to prove, that a large body of Indians attended his army, and arrived at Sandwich at the same time. They were seen, indeed by my whole army on the opposite bank. I have stated this fact, because it may be possibly said, that the six hundred Indian warriours which Lieutenant Forbush counted at Malden on the 15th, and which on that day marched to Sandwich, was the whole of the Indian force. Those which he counted on the 15th at Malden, could have been no part of those which marching with General Brock, and were at Sandwich early in the morning of the same day, the distance being eighteen miles. I have made this statement, because three hundred and fifty Indians, by Lieutenant Forbush's testimony, were at Malden on the 1st of July, and were included in the whole number of nineteen hundred and seventy, which is made by a calculation on the details of his evidence. On the facts here stated, the judicious reader will be able to form a satisfactory estimate.

With respect to the militia at Malden, there is no fact which can be more indisputable as to their number. Between the 20th and 30th of July, many of them deserted and came to my camp. Their uniform testimony was that when the approach of our army was known, *one thousand* was ordered by the government to be detached, and re-enforce the station at Malden, and that nine hundred out of the thousand ordered, actually arrived. It is a well known fact, that about the 30th of July, a proclamation of pardon was issued; and by the testimony of Lieutenant Forbush, it appears they all returned. Many copies of this proclamation were seen in our camp; and besides the evidence I have here stated, complete proof of the number of militia detached for the defence of Malden, may be found on the records of Upper Canada. Thus it appears, by the the testimony of Lieutenant Forbush, when examined by the Judge Advocate, the whole

number at Malden was nineteen hundred and seventy, before the arrival of General Brock, with the re-enforcements which attended him from the east part of the province. As I have no evidence to determine precisely what those numbers were, I must leave the estimate to your judgment, under the circumstances which have been stated, as it was peace in that quarter, and there was no occasion for any force whatever for the defence of that part of the province. In addition to the forces at Malden, and those which he brought with him, he had all the sailors and marines which belonged to his navy, which, on the 15th of August, was anchored in the Detroit river, between Sandwich and the Spring Wells. Having stated the number of vessels, with the number of cannon mounted on them, and likewise a number of armed boats, suitable for those waters, and we having not a single armed boat to annoy them, and as consequently, the whole of their crews might have been, an actually were, employed in the land service, I leave it to your judgment to determine their numbers. The detachment of British troops which marched across the country, under the command of Major Chambers, with artillery, collecting the militia and Indians on his rout, joined General Brock at Sandwich. This number must have been several hundreds. On the river Le Trench was a large settlement conveniently situated to join his forces and the militia of that settlement were seen with the invading army at the time of the capitulation. From the facts here offered, and the evidence produced, you will have the means of forming for yourselves an opinion, with respect to his numbers at Sandwich, on the 15th of August.

I will now state the testimony of Colonel Snelling, who was only a captain in my army, who had been promoted by my prosecutors, who was depended on as a leading and principal witness in behalf of the prosecution, and had become my most malignant enemy. His testimony of the numbers of General Brock's army, on the 16th of August, the day of the capitulation, is as follows. I shall transcribe it, verbatim et literatim, and it is to be found in the 40th page of my trial. He says, "that he stood at the corner of the slip leading to the gate of the fort, and attempted to count the British troops on entering the fort; that the troops in advance were the 41st regiment, in platoons of fourteen files as well as the York volunteers, twen-

ty-nine platoons, two deep in red coats; that the militia platoons, which were in the rear, consisted of no more than seven or eight files, and composed one third part of the whole force, probably seven hundred and fifty whites; of which the remaining two thirds were regulars and ununiformed militia."

Here Colonel Snelling swears, there were three descriptions of troops, viz. the British 41st regiment, the York volunteers in uniform, and the militia, not in uniform. He says the 41st regiment and the York volunteers formed twenty-nine platoons of fourteen files in each platoon, two deep, and in red coats. He then says, that the militia platoons, which followed in the rear, consisted of only seven or eight files. He does not say how many platoons the militia consisted of, but only mentions the number of files in each; and then states their whole number to be seven hundred and fifty, which was one third part of their whole force. He then says, in these identical words, that the remaining two thirds were regulars, and uniformed York volunteers.

By this evidence, it appears, that the regulars and York volunteers, in uniform amounted to only fifteen hundred; to which add seven hundred and fifty, which was the number of the ununiformed militia, and was one third part of the whole white force, makes the whole force of regulars, uniformed York volunteers, and militia, two thousand two hundred and fifty.

In this number the Indians are not included; for, in his further testimony, he says, he supposed the Indian force was more than one hundred and fifty, although he only saw that number, drawn up to fire a salute, as he understood. As he says that he saw only one hundred and fifty drawn up in a body, to fire a salute, and supposed there were more, no correct estimate can be formed of the Indian force from his testimony.

As Lieutenant Forbush counted, at one time, and at one place, in a body, six hundred Indian warriours, on the 15th at Malden; and as it is well known there was a large body at Sandwich, at the same time, with General Brock, the testimony is positive that there were six hundred; for when they were counted, they were marching to join the General at Sandwich. What number were before with the General, I cannot give an exact account.

Only by adding the six hundred, and leaving those who

marched up with General Brock out of the estimate, would make his whole number, on the morning of the 16th. two thousand eight hundred and twenty-five. These were the troops which marched into the fort, excepting the Indians. It is well known a number were left in the forts on the opposite bank, as there was an incessant fire from those forts, until the capitulation took place, and they were distinctly seen. I have no document to show the exact number left on the opposite bank. It is likewise well known, that as soon as the capitulation took place, and before the troops marched into the fort, guards were placed around the town and fort, to prevent the Indians from taking the horses into the woods, and likewise to protect the inhabitants from them. This is the positive testimony of the witnesses in behalf of my prosecutors, stated in detail, and the calculation is made on the facts to which they testified. From examining the whole of the testimony which they gave on the other charges, it will be seen that they were no friends to me, and that they wished to make General Brock's force as small as possible.

Major Jessup and the other witnesses, who were examined on this subject, said they did not count the enemy's forces, and did not know their numbers, and could only state their general impressions. Whatever those impressions were, ought not to have weight against the positive testimony of those who counted them. Even any opinions which may have been expressed by those who counted them, ought not to have influence, if they vary from the detailed facts to which they testified. It only shows they were not correct mathematicians. I have suffered so much by the opinions of interested witnesses, that I hope correct calculations will now be made on facts, and on them a judgment will be formed. It was my intention, in this number, to have stated and given you evidence of my force at this time, but I find it cannot be contained in one paper. I must therefore defer it to the next, with the hope that this will particularly be kept in mind when the next is presented.

No. XXVII.

I SHALL exhibit to you from the best evidence which can be obtained, the number and quality of the forces under my command, and at my disposal, on the morning of the 16th of August, when General Brock invaded our territory with the forces which have been described in the former number.—To avoid repetition, I must ask you to examine number 16, where will be found a general statement of my force before the army retreated from the Canada shore. It will appear that the original number ordered by the President, and placed under my command when I commenced my march from Dayton, in the state of Ohio, was twelve hundred militia, and the 4th United States' Regiment, consisting of about three hundred, according to Colonel Miller's testimony, who commanded the regiment. In addition to these forces there was a small number of volunteers unauthorized by the President's order to Governor Meigs : they were the associates and neighbours of Colonel McArthur and Cass, and I took the responsibility of including them in the return, that they might draw provisions, as they had no other mode of obtaining them in marching through the wilderness. I did not consider them subject to my authority, and they refused obedience to orders, when offensive operations were commenced, as appears by evidence on my trial. Being Governour of the territory of Michigan, its militia was subject to my authority. The number of white inhabitants of all descriptions from which a militia could have been drawn, was between four and five thousand, as appeared on my trial, by the officer who took the census, and these were settled on the borders of the lakes and rivers, an extent of five hundred miles from the Miama to the *sault* of St. Mary, the outlet of Lake Superiour. The few regular troops, which in time of peace consisted of about fifty, in the garrison at Detroit, were likewise subject to my command ; I had no authority to employ the Indians in our service—Here is exhibited all the forces of which my army consisted, when I commenced the march from Ohio, and all the sources from which any additions could have been drawn. It was in evidence on my trial, that three block houses were built

by the army in its march through the wilderness, and garrisoned by the troops; their situations may be seen on some of the maps of the country recently made; that a stockade fort was likewise built on the bank of the Miami, and a subaltern officer and thirty men were left for its defence, by order of the Secretary of War.

That about sixty were made prisoners in the vessel, on her passage from Miami to Detroit, under the command of Lieutenant Forbush: as he says there were as many as the vessel could carry, which must have been at least that number. [See Lieutenant Forbush's Testimony, page 145 of my trial.]

A number were left sick at the river Raisin; having lost my papers as before mentioned, which contained the daily reports of the sick, and the state of the troops, I cannot ascertain the exact number; according to my best recollection it was not less than twenty-five, and they never afterwards joined the army. In several rencounters near Malden, a number were killed and wounded—the exact number I cannot ascertain for the reason above stated.

On the 4th of August, according to the testimony of Lieutenant Colonel Vanhorn, a detachment under his command was attacked by the Indians near Brownstown, and eighteen were killed, twelve wounded, and above seventy missing, a part of which number afterwards returned to the camp. [See report of my trial, page 70.]

On the 8th of August, in the action on the bank of the Detroit river, between Maguago and Brownstown, where Colonel Miller commanded, the killed and wounded on our side was eighty-one, according to Colonel Miller's testimony. [See page 108, of the report of my trial.]

I will now consider the situation of the detachment under the command of Colonels McArthur and Cass at this time. On the 14th of August, this detachment marched from Detroit, and as Colonel Miller, with six hundred of the best men of the army, on the 8th of August, had not been able to open the communication to the river Raisin, I directed these two Colonels to take all the effective men of their regiments, and make another attempt. Having received information that there was an Indian path through the wilderness, to avoid being attacked from Malden, in passing that garrison at Brownstown, I thought

it expedient to direct Colonel McArthur to take that rout. On this rout. the distance from Detroit to the river Raisin was about fifty miles.

At this time, not having received information of the arrival of General Brock, with the re-enforcements from fort Erie, and a number of cattle having arrived at the river Raisin, for my army, guarded by a company of militia, I then thought, and now think, under the circumstances which existed, the measure of ordering this detachment was expedient. On the morning of the 16th, when General Brock landed at the Spring Wells, under cover of his naval armament, I had received no information of this detachment; I had therefore the strongest reasons to believe, as they had been absent two days, that they were at that time at the river Raisin, fifty miles from Detroit, the rout they marched, and thirty by the way of Brownstown. As Colonels McArthur and Cass were going themselves on this hazardous enterprize, and as they had an authority to select all the effective men of their regiments, I ask you whether, under these circumstances, they would, and did not take all that they thought would be useful and necessary to effect the object. There is another reason which is conclusive, in my mind, that they did. On the 15th of August, after I had received information of the arrival of General Brock, the remainder of these two regiments which were left behind, were paraded, and I examined them: the number was very small, and I saw none but sickly invalids.

I believe the situation of this detachment, which must have amounted to more than four hundred of the most effective men of the Ohio regiments, will, by every candid reader, be considered such, that in case of an action at Detroit, I could have had no assistance from them.

Colonel Cass, in his letter to the government, stated, that the number in the detachment amounted to three hundred and fifty. Colonel McArthur, in his testimony before the Court Martial, says, he received an order from me to detach from his regiment one hundred and fifty.

I ask why he did not produce the order to prove the fact?

The loss of my papers, in the manner I have stated, is the reason why I do not produce it.

Having thus stated the numbers, which were ordered for

my command, by the government, it will be proper in estimating my forces on the 16th of August, to deduct, those which were left to garrison the block houses; those who were made prisoners in the vessel on the 1st of July, those killed, wounded, and missing, in the different actions at the river Au-Canard, and at other places, between Sandwich and Malden; and likewise, those who were killed, wounded, and missing in the two actions at Maguago and Brownstown, where Colonel Vanhorn and Colonel Miller commanded.

When you have before you the fact, proved by the testimony of Colonel Anderson, who commanded the militia at the river Raisin, that the whole of them were not sufficient for the protection of that settlement, and he requested succour from Detroit, for safety to the inhabitants; when you likewise consider, that in addition to the militia at the Miami, I was obliged, by the orders of the government, to leave an officer and thirty men, for the protection of that settlement; when you likewise consider the scattered situation of the other inhabitants of the territory, surrounded by Indian villages, on all sides of them; and further that a part of those belonging to the settlement at Detroit, joined the British forces, as soon as they landed; and the further information, I received, that the whole would desert and join them, I cheerfully submit to your judgment, under these facts and circumstances, whether I had a right to calculate on any assistance from these militia;—and rather, as I had been informed a part of them had joined the enemy, and their Colonel gave it, as his opinion that the whole would join them, whether I had not grounds to believe, that they would add to the enemy's force.

In making your estimate of my effective force, it will be proper, and I am sure you will take into consideration, that as it was then the middle of August, the sickly season of the year; and as, by the capture of the vessel, we had lost all our medical stores, and there was no possibility of obtaining the least supply, from any quarter whatever, and as the country was liable to agues and fevers, that a proportion of the troops, must have been sickly and non-effective.

I have presented this statement, to furnish you with the means of determining, how much my army must have been reduced, on the 16th of August, and of comparing the opinions, you may

form on the facts thus exhibited, with the other evidence, I shall now offer.

The evidence, which I shall now offer, is the evidence of Major Jessup, who then acted as the Adjutant-General of my army, and is now the Quarter-Master General of the United States.—With respect to other testimony, I have referred to the report of my trial. I have done this, because, that book is in circulation, and any reader, who is desirous of comparing the documents, and evidence, which I have stated, can more easily obtain it, and make the comparison, than from the records, in the office at Washington, where is to be found only one copy, and that in manuscript. Colonel Forbes, who published the Report, was one of the members of the Court Martial, and the documents, as well as my defence, were furnished him, by the administration, from the records of the government.

As Major Jessup was the acting Adjutant General, it was his official duty, to make a return to me, when ordered, of the *whole* force, under *my* command—He was ordered at this time, to do it. In examining his testimony, I find there is a variance, between the report of my trial, and the copy I have obtained from the Adjutant-General's office, taken from the records, by an order from Mr. Calhoun, the Secretary of war. I shall therefore transcribe, precisely from both, that the variance may be seen, and if one is more favourable to me than the other, that I have no disposition, to take advantage of it.

In the first place I will transcribe from the report of my trial, his testimony with respect to my numbers—It will be found in page 94. "Major Jessup stated, that he had received a report from different Adjutants of different corps, estimating the men, fit for action, and thinks that the amount, (as stated in General Cass' letter) exceeded a thousand men. including the Michigan militia of four hundred, and the detachments absent with Colonels Cass and McArthur; perhaps, this estimation, includes the Michigan legion, which on an occasion, when he had two companies of them under his command, behaved as well as any troops he ever saw, having formed on an island, where some fighting was expected, in the most regular manner.—There were also on the evening, of the 15th about thirty or forty armed wagonners."

Before I make any comments, I will transcribe the same evi-

dence precisely, from the copy I received, from the Adjutant General's office. It is as follows :—

"On the evening of the 15th, I received an estimate, of the Adjutants of the different corps, of the men, fit for action. The force, I think, exceeded a thousand. I gave Colonel Cass a statement of it the next day after the surrender. I subsequently saw a letter published, said to have been written by Colonel Cass, in which the number was stated, I think, according to the statement I furnished him. I am not certain whether the Michigan legion were included in the estimate, but the militia were not. It is my impression that the Michigan legion were. I suppose there were four hundred at least of the Michigan militia under arms at the time, and I believe there were more. I was once out on a detachment, with a part of the Michigan legion,—we had to go on to an island, where we expected to be fired on, the moment we landed. They landed and formed with as great regularity as any regular troops I ever saw." He then mentions the same number of armed wagonners, as stated in the report of the trial.

You here have before you, fellow citizens, the number of forces ordered for my command by the President, in the first instance, and the various casualties by which it was reduced. You likewise have the testimony of the Adjutant General, the official officer, whose duty it was to make a return of the whole number to me.

In the first place, my fellow citizens, as I stand before you as judges, and I know that I *now* stand before a candid, impartial, and intelligent tribunal, I ask you to make your calculations, of the numbers of my effective forces at Detroit, on the 16th of August, on the facts which I have exhibited, viz. the number and quality of troops ordered by the government; the few unauthorized volunteers, who joined the army on the march; the few regulars, which had been stationed in the fort of Detroit, in time of peace; and the militia which could have been drawn from the whole population of the territory, which population consisted of little more than four thousand souls. From this force then deduct the number left in three block houses, and a stockade fort, at the river Miami, established to assist in preserving the communication to Ohio; those made prisoners in the Cayahoga packet; the sick which were left at the river

Raisin; the killed and wounded at several rencounters, at the river Au-Canard, and between Malden and Sandwich; the killed, wounded and missing, in the action at Brownstown, under the command of Colonel Vanhorn; likewise the killed and wounded in the battle between Maguago and Brownstown, under the command of Colonel Miller; likewise Colonels McArthur and Cass' detachments, which marched on the 14th of August, to the river Raisin, to open the communication, and obtain provisions; and likewise the state of the Michigan militia—that a part of them had joined the enemy's forces, with their arms in their hands, when they first landed, and the information I had received from their Colonel, that the whole number would join them; likewise the number which at this season were sick, being without medicine, or even necessary comforts. Of all these facts, you have evidence, in the course of the foregoing numbers; and without giving any opinion, I ask you to form a judgment for yourselves.

I shall now consider the testimony of Major Jessup, the official officer, and acting Adjutant General, on the subject of the numbers of my army at this time.

He says, that on the 15th of August, he had received a report from the Adjutants of the different corps, and the amount exceeded a thousand men, (as stated in General Cass' letter.) That letter stated the number, by that report, to be a thousand and sixty. Colonel Cass' letter, however, ought not to be considered as any evidence. He was not under oath when he wrote it. As, however, that part of it which relates to my numbers is confirmed by the testimony of Major Jessup, I am willing to admit, under the explanation which he afterwards made, the correctness of it. He says, in these identical words, "exceeded a thousand men, including the Michigan militia, of four hundred, and the detachments absent with Colonels Cass and McArthur." He then says, "perhaps this estimate includes the Michigan legion." He afterwards states, "there were about thirty or forty armed wagonners."

By referring to Colonel Cass' letter, published in the report of my trial, you will perceive, he says, there were three hundred and fifty in the detachment; and Major Jessup, in his testimony, says, that this detachment was included in the one thousand; it consequently ought to be deducted, having been

absent two days, under orders to march to the river Raisin. This will reduce my number to seven hundred and ten. He also says, there were about thirty or forty wagonners armed that evening; say thirty-five, which makes the whole number seven hundred and forty-five.

About half of these, according to his testimony, were Michigan militia; and I have produced evidence, that a part of them, with their arms, joined the enemy the next morning, and that their Colonel informed me the whole of them would desert. Therefore they ought not only to be deducted from my numbers, but added to the enemy's.

This, I believe you will be of the opinion, is the only fair explanation which can be given of the testimony of Major Jessup, the Adjutant General, as reported in my trial, by Colonel Forbes, one of the members of the Court Martial, who was furnished with my defence, and other documents, by the government, and published under the auspices of the administration.

By comparing the two statements, both of which have been literally transcribed, it will be seen, that there is this variance— In the one, taken from the report of my trial, Major Jessup says, that the Michigan militia was included, and made part of the whole force, viz. one thousand and sixty. In the other, taken from the records furnished by order of Mr. Calhoun, he says, expressly, that it was his impression, the Michigan legion was included in the one thousand and sixty, and the militia (which must have been the other part of the militia) were not. This legion, as it is called, was a part of the four hundred Michigan militia, and it is very immaterial whether the men who composed them were included or not, for the reasons which have been just stated, as they added to the force of the enemy.

Perhaps the inquiry may be made, in what manner General Brock, in his official report to his government, made the number of prisoners so much greater? Such an inquiry is easily answered. All the prisoners from Michilimackinack were at Detroit on their parole, and included in the number. All the militia at the river Raisin, and in every part of the territory; all persons, indeed, of every description, who were found at Detroit, were in his power, and considered as prisoners. It was easy for him to make the numbers as large as he pleased. He had, indeed, a great object in making them as large as pos-

sible. His official communication was to be sent to London, and presented to his Majesty, the fountain of distinctions and honours. In proportion as the achievement could be magnified, he expected distinctions and honours would be conferred. In this he was not disappointed; the order of knighthood was conferred on him, as soon as his dispatches were received.

From the statement and evidence offered for your consideration in this and the former number, I have the happiness to believe you will be satisfied, that the pledge which I gave in my second number, viz. that I would prove to your satisfaction, that on the 16th of August, 1812, General Brock invaded our territory, with more than double the effective force which I had to oppose to it, has more than been redeemed; and, if I had pledged myself to have proved that he had at that time more than three times my effective force, the statement would have been correct. On the evidence furnished by the administration, my prosecutors, I could not have carried into the field one third part of the force with which our territory was invaded; and as the suspension of hostilities, was at that time in full operation, in every other part of Canada, and all the British troops, militia of the province, and all the savages, were subject to the authority of the British General, and were moving in all directions to the only point where their services were necessary, I again ask you, whether you are not fully satisfied, that his army might have been re-enforced to much more than double the numbers then present, before I could, by any posibility, have received assistance?

No. XXVIII.

Perhaps, after reading the two last numbers, in which were exhibited evidence of General Brock's forces, and those under my command, an inquiry may be made, why this statement and evidence was not presented more particularly in my defence? to satisfy you in relation to such an inquiry, it will be perceived the whole of the evidence now exhibited was not before the Court Martial, and the part which was, I expected the members would critically examine, and form their judgments on the *facts* which were proved, and not on the *opinions* of the witnesses.

There was another reason, which was the principal one; viz. the very short time allowed by the Court, to prepare my defence.

The evidence was closed on Friday, the 11th day of February, and the Court met again the next Tuesday—a Sabbath intervened, which ought to be devoted to the worship of our God. Consequently, I had only Saturday and Monday, to arrange all the evidence, both written and oral, which had occupied thirty-two days in presenting to the Court, where I had constantly attended at the bar, in examining witnesses, &c. without any assistance. This evidence was to be applied to a volume of charges and specifications; and the administration, my prosecutors, had employed two of the most eminent Counsellors in the United States, to assist the Judge Advocate in preparing these charges and in hunting up and examining witnesses, and taking down minutes of their testimony, long before the trial commenced.

I believe no law can be found, authorizing the employment of these Counsellors, or the payment of the large sums of public money, they received for their services.

Until the whole of the testimony was offered it was impossible to make an arrangement of it, and apply it to the numerous charges. Every day witnesses were examined on all the different specifications. I have not made this statement to implicate the conduct of the Court in this particular, as I did not urge for a longer time. The reason why I did not, was, that every application of any importance, which I had made during the whole trial, had been denied—I therefore thought it would be a useless waste of time. I have only stated this fact as a reason, why my defence was not presented in so clear, particular, and intelligible a manner, as it might have been, had more time been allowed. It was impossible to arrange such a mass of testimony in so short a time, as to have the case distinctly understood by the most attentive readers. These are reasons, why my case has not been more clearly and fully explained.

In a former number, I referred to the convention of Saratoga, to show the fatal consequences of an army being ordered into a situation where its communication with its magazines cannot be preserved.

As the events of the northern campaign, in 1777, are an im-

portant portion of the history of our revolution, and as in many respects, there appears to be a similarity between the misfortunes, which attended the army, commanded by General Burgoyne and the case which I have presented for your consideration, it may afford some illustrations of the subject, to describe them, and trace the similarity.

The invasion of the United States, in the year 1777, from Canada, was a favourite object of the British administration, planned in the cabinet of London, and the execution of it committed to General Burgoyne. Early in the spring of that year, he advanced from Canada with a large army, as distinguished for character and discipline, as, perhaps, that nation ever furnished. Attached to his command were the Canadian militia, and savages of the northern and western regions. Distinguished, not only by his talents, as a civilian, but by long experience in the wars of Europe, and having acquired the highest reputation, as a military commander, he was selected for this important command. Aided by a naval force on lake Champlain, he passed over those waters, and possessed himself of Tyconderoga. Calculating on assistance, and co-operation with the army under the command of Sir Henry Clinton, in New York, and expecting to form a junction with that army, at Albany, he penetrated to the Hudson, and crossed that river, at fort Edward. If his communication should be cut off from his magazines in Canada, he expected when a junction was formed with the army at New York, it would be opened for the supply of his army, from those below. Not receiving that co-operation, on which he depended, and his communication between his army, and his magazines in Canada, being intercepted by the American forces, he considered it his duty to accept the best terms which could be obtained, and surrendered his army as prisoners of war, *under a convention*, to which the American General acceded. This was occassioned by the want of co-operation on the part of his superiour officer, from New York. I ask you, my fellow citizens, to compare the two cases, and although it may be said, it is comparing great things with small, yet they depend on the same principle, and are offered as an illustration of the subject under review. I was ordered to make the invasion of Upper Canada, from Detroit. General Burgoyne was ordered to invade the United States, from Canada. After my army invaded

Canada, its communication was cut off, by the enemy's naval force on lake Erie, and his land forces, and savages, on the road which had been opened from Ohio, and *no supplies could* be obtained from any magazines from my country. After General Burgoyne's army invaded the United States, and advanced to Saratoga, his communication was intercepted from his magazines in Canada, and *no supplies could* be obtained from that quarter.

It was a part of the plan of the campaign in 1812, that General Dearborn should cross the Niagara river and co operate with me, with an army sufficient for the conquest of Upper Canada, by which event, my communication would have been opened to the magazines, in our country on the Niagara river. Had Sir Henry Clinton successfully co-operated with General Burgoyne, his communication would have been opened to his magazines in New York, from which his army would have received its supplies. The want of that co-operation alone became fatal to Burgoyne. I had no communication with my country, excepting through lake Erie, and the road I had opened through the wilderness to Ohio. After the declaration of war lake Erie was closed against me, by the enemy, and the road by the savages. As General Dearborn neglected to assist and co-operate with me, my communication being entirely intercepted, I considered it my duty to negotiate and accept the best terms which could be obtained.

Thus far there appears to be a similarity between the two cases. Had General Washington at that time proposed to Sir William Howe, who commanded the British army, an armistice, and had it been agreed to, without including General Burgoyne's army, the similarity would have continued;—and in an event of that kind General Washington might have marched his whole army, or as large a part as he deemed necessary to have assisted General Gates with the most perfect safety to the other parts of the country, and at once overwhelmed General Burgoyne's army. By a calculation on the subject it will appear, that General Burgoyne had a larger force, in proportion to General Gates' than I had in proportion to General Brock's.

The surrender of General Burgoyne's army, was occasioned by the want of co-operation, from the army at New York, commanded by Sir Henry Clinton; and I am satisfied, you will be

fully convinced, that the disasters of my army were caused by the neglect of General Dearborn, in not assisting and co-operating with me as he was ordered.

I will now ask your indulgence, for a moment, in examining the conduct of the British administration towards this unfortunate General. I do it with a view to contrast it with the treatment I have received from the administration under which I served. This treatment is so well known to you, that it is unnecessary to repeat it. Indeed, no language can describe the base injustice I have experienced, or the vile and disgraceful motives from which such injustice originated.

Let me then ask you whether the officers of the British Administration received and published to the nation and to the world, an official account of the causes of that surrender, from a *subordinate officer*, before that of the commander of the army was received and published? Were capital charges in the first instance, exhibited against General Burgoyne; and was Sir William Howe, whose duty it was to have assisted and co-operated with him, and who was deeply interested in the event of an inquiry, appointed President of a court martial for his trial? Did General Burgoyne's officers, selected as witnesses, receive the patronage of the British administration, by being promoted two or three grades, to prepare them to give the most unfavourable testimony against him? Were the newspapers of England, by the influence of the administration, filled with false and scandalous accounts of his conduct, and the oaths and affirmations of every unprincipled adventurer and follower of his army, taken and circulated to excite the clamour of the nation against him?

No, fellow citizens, the officers of the administration of the nation from which you descended, had too much honour and justice to make use of such dishonourable practices even for their own preservation in office. As, however, they knew that an inquiry would produce a re-action on themselves, who formed the plan of the campaign, and on Sir William Howe, the commander in chief of the army, who neglected to co-operate, or to provide the necessary means of co-operation, with General Burgoyne, no trial was ordered, and he retired to private life, with the esteem and affection of his fellow citizens.

He was the unsuccessful general, and as the plan of the cam-

paign had been formed by the officers of the administration, and its want of success, had excited a clamour in the nation, it was well known, that the public censure would have rested on them, and the generals who had neglected to co operate with him, had a trial been ordered. That nation would never have suffered such an outrage on justice as has been here practised.

By examining the most celebrated historians of the war of our revolution, it will be seen, that the causes of the disasters of General Burgoyne's army are attributable to the want of the so operation which was expected.

In proof of this declaration, I will here transcribe a few sentences from Botta's history of the war of our independence, translated by our countryman G. A. Otis, Esq.; a work highly creditable, both to the author and translator, as well as to the rising literature of our country.

Speaking of Burgoyne's expedition, he remarks, "that its success depended on the combined efforts of the generals who commanded on the lakes, and of those who had the management of the war in the State of New York. But far from moving in concert, when one advanced, the other retired. When Carleton had obtained the command of the lakes, Howe, instead of ascending the Hudson towards Albany, carried his arms into New Jersey, and advanced upon the Delaware. When, afterwards, Burgoyne entered Tyconderoga in triumph, Howe embarked upon the expedition against Philadelphia; and thus the army of Canada was deprived of the assistance it expected from New York."

The author then makes the following reflections: "Perhaps Howe imagined, that the reduction of such a city as Philadelphia, would so confound the Americans and so derange their plans, that they would either easily submit, or make but a feeble resistance. Perhaps, also, he believed, that by attacking the centre, and as it were the very heart of the confederation, he effected the most useful diversion in favour of the army of the north, thereby depriving the Americans of the ability to oppose it with a sufficient force upon the Hudson. Finally, it is not impossible, that, listening to his ambition, he had flattered himself, that with his own means alone, he could acquire the exclusive glory of having put an end to the war. But whatever might have been the importance of the acquisition of Philadelphia, every

one must readily perceive how much greater was that of the junction at Albany of the two armies of Canada and New York. It was very doubtful, whether the conquest of a single city would decide the issue of the war; whereas the junction of the armies offered almost an assurance of it." In the next page it is further observed, "Perhaps, also, (speaking of the British administration) they erred in this, that having too great confidence in the reputation, rank, and military experience of Sir William Howe, they neglected to send him more minute instructions. For it appears by the best information we have found on this subject, that the orders given to that general in regard to his co-operation with the army of Canada, were rather discretionary than absolute: *but all the ruin of the enterprize is clearly attributable to this want of co-operation.*"

Sir William Howe had taken so large a portion of the army from New York, in his expedition to Philadelphia, that it probably was not in the power of Sir Henry Clinton, consistent with the safety of the posts below, to co operate with General Burgoyne. After these events took place, Sir William Howe was recalled, and the command of the army given to Sir Henry Clinton. General Howe's conduct was severely censured by the British government, for not supporting and co-operating with General Burgoyne.

Thus it appears, that Sir William Howe was censured by his government, and recalled from his command, for not taking measures to assist and co-operate with General Burgoyne's army, when, as it appears, his orders were only discretionary on the subject.

I now ask you to consider the case of General Dearborn. He retained the confidence of the administration, and was continued in his command; although he took no measures to co-operate with my army, although *his orders were positive to do it.*

Although it appears by the authority of this historian, that Sir William Howe had not received positive orders to co-operate with General Burgoyne; and although he had not made an armistice with General Washington, which left all the forces of the United States at liberty to have marched and joined General Gates' army against General Burgoyne, yet I will here apply the same reflections in relation to the disasters of 1812, and on General Dearborn's conduct, as the historian has made on

the events of the campaign of 1777, and on Sir William Howe's conduct. In relation to the events of 1812, it will thus stand. "That the conquest of Upper Canada depended on the combined efforts of the generals who commanded on the east and west side of lake Erie. That when I crossed the Detroit river, and invaded Canada on the west side, General Dearborn advanced the principal part of his army to Plattsburg and Burlington, in the direction of Montreal. Perhaps General Dearborn imagined, that even the appearance of the reduction of such a city as Montreal, would so confound the Canadians and so derange their plans, that they would either easily submit, or make but a feeble resistance. Perhaps, also, he believed, that by attacking the centre, and as it were the very heart of the province, he effected the most useful diversion in favour of the northwestern army, thereby depriving the Canadians of the ability to oppose it, with sufficient force, on the Detroit river. Finally, (as the historian observes, only changing names) it is not impossible, that General Dearborn, listening to his ambition, had flattered himself, that with his own means alone, he could acquire the exclusive glory of having put an end to the war."

I will continue the same reflections as the historian has made in the other case, and you, my fellow citizens, will judge how far they are applicable: "But whatever might have been the importance of the acquisition of Montreal, (waving the probability of obtaining it) every one must readily perceive how much greater was that of the junction of the two armies in the centre of the upper province. It was very doubtful, whether the conquest of a single city would decide the issue of the war; whereas the junction of the two armies offered almost an assurance of it. Perhaps they erred (only changing the British for the American administration) in this, in placing too great confidence in the reputation, rank and military experience of General Dearborn. *But all the ruin of the enterprize is clearly attributable to this want of co-operation.*"

If the observations made by this celebrated historian, in the case which he was reviewing are correct, the same observations will more strongly apply to the case here presented to your consideration, because General Dearborn had particular instructions which he did not comply with, but agreed to a suspension of hostilities.

If Sir William Howe was thus censured and recalled from his command, when his orders were only discretionary with respect to co-operation with General Burgoyne's army, I ask, and I solemnly ask, what would have been his fate, had his orders from his government been positive to have co-operated with Burgoyne—and instead of obeying those orders, in imitation of Dearborn, he had agreed to an armistice with General Washington, without including Burgoyne's army, and without making any provision that General Washington's army should remain, during the armistice, in the position it then occupied, and any part of it, or the whole, with the General at its head, had marched to the Hudson, and re-enforced Gates' army.

This might have been done, under such circumstances, with the most perfect safety to every other part of the country during this suspension of hostilities between Washington and Howe.

I believe you will accord with me in the opinion, that if Howe had made such an agreement with Washington, it would have caused the immediate and certain destruction of Burgoyne; and nothing could have sheltered him from te vengeance of any administration which had any regard to character, policy, or justice.

No. XXIX.*

On the return of this joyful anniversary of our independence, it would be most grateful indeed to me only to indulge in a recollection of the means by which it was produced, and the honours and blessings it has afforded, unmingled with any regrets for subsequent misfortunes.

Indeed, this event is considered so important that the celebration of it is not confined to our own country, but patriots and sages, throughout the civilized world, hail the example as the dawn of their freedom.

It affords me happiness, which no language can express, that I lived at the period when these great events were passing, that my little bark followed, and sailed attendant, with that of our

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illustrious leader, partook in a small degree of the same auspicious gale, and witnessed the same glorious triumph. When those invaluable privileges, which had been acquired, with so much success and glory, were assailed, I was willing again to raise my feeble arm for their support.

To what causes ought to be attributed the misfortunes which succeeded, is the object of the memoirs which I am now presenting for your consideration. I should be wanting in gratitude, did I not both feel and express my sincere and unfeigned thanks for the candour with which they have been received, and the attention with which they have been read. I cannot omit on this occasion, to make my particular acknowledgements to the conductors of our free presses, for their liberality, in giving publicity to my narrative, and for the candour and impartiality which has appeared in their editorial remarks As long as this blessing is maintained, truth will break down the barriers of falsehood, and overcome all opposition.

This number coming in its regular course, on this auspicious day, no considerations ought to induce me to deviate from the system I have adopted. I shall deeply regret the necessity of stating a single fact, or drawing a single inference, which may have the least tendency to disturb the repose of His Excellency, Governour Eustis, both on account of the personal friendship, which long subsisted between us, and the high esteem I have entertained for his character, but likewise on account of the profound respect for the majority of his electors, and my unshaken attachment, notwithstanding all I have suffered, to the principles which have elevated him to the chief magistracy of the commonwealth. They are principles, which I early imbibed, for which, in my youth I have often fought, and which I hope to cherish during the future remnant of my life. Principles are fixed and immutable, and it is no reason to abandon them because they are sometimes abused and perverted by those who profess to follow them, or because innocence sometimes suffers by such abuse, and perversion. I shall therefore now present to you an official letter from His Excellency, then Secretary of War, to General Dearborn, dated after the disasters of the campaign had happened, which seems very clearly to unfold the views and intentions of the administration, in relation to its misfortunes. [Vol. 6, p. 253.]

"*War Department, Dec.* 18, 1812.

"SIR,—Your letter of the 11th inst. is received. *Fortunately for you*, the want of success which has attended the campaign will be attributed to the Secretary of War. So long as you enjoy the confidence of the government, the clamour of the discontented should not be regarded.

"You are requested to make an exchange of General Hull, as soon as possible.

[*Signed,*] W. EUSTIS.

"Major General H. DEARBORN."

By this letter, it appears, that at the time it was dated, I was a prisoner, and General Dearborn was requested to make an arrangement, and effect my exchange, as soon as was possible. This letter, under the circumstances, speaks in language too plain to be misunderstood. General Dearborn is informed that it is fortunate for him, that the want of success which has attended the campaign will be attributed to the Secretary of War. Here His Excellency, then Secretary of War, in a very kind manner, agrees that all the misfortunes of the campaign, shall rest upon himself. He informs the General that he ought not to regard the opinions of those who are dissatisfied, as long as *he* retains the confidence of the government.

What is the proper construction to be given to the foregoing sentence? Is it not obviously this, that the opinions of the people ought to be disregarded as long as General Dearborn retained the confidence of the administration, the servants of the people? Your opinions ought to be held in contempt, while the opinions of those to whom you have committed a temporary authority ought to be respected! Is this the genius and spirit of the government under which you live? Can a sentiment like this receive your approbation, however decorated with titles and authority the individual may be from whom it proceeds? The opinions of the administration, to be respected, and your opinions, my fellow citizens, to be disregarded! !—Here the Secretary acknowledged, from under his own hand, that the misfortunes of the campaign would be attributed to him. His character, therefore, as Secretary of War, by his own confession, was implicated. Did it comport with the dignity of his

office or the honour of his character, to retire, borne down with such a load of opprobrium?

When he voluntarily consented to take these misfortunes from the shoulders of General Dearborn he knew they would not evaporate in smoke, and that it would require some powerful engine to remove them. Thus commenced the plan designed for my destruction. By General Dearborn's arrangements I was immediately exchanged; and, at the same time that I received notice of my exchange, I was arrested, and called to answer to a volume of charges prepared by Mr. Dallas, who had been specially employed by the administration for the purpose. He was assisted by a number of my officers, who seeing the favour and patronage Colonel Cass had received from his official letter, were willing to follow his example, and were not disappointed in their reward. All the prominent acts of the campaign, in this volume of charges, were made capital offences, although many of these very acts, had before, been highly approved by the very administration which now exhibited them. This was the engine which was prepared to relieve the Secretary, from the burden, which he had in so generous a manner taken from the General's shoulders. The success of the plan which was formed for my destruction, is well known to you, as well as the rewards which have been given to those who formed and executed it. General Dearborn was continued in office, with all the emoluments of commanding General, to the close of the war, without any inquiry into his conduct for not obeying the President's orders, and has since been appointed Ambassador to a foreign court, with a compensation of thirty-six thousand dollars of your money, for three years' services. The Secretary of War, Governour Eustis, retired from the war department, with the misfortunes of the campaign upon his shoulders, and as soon as he had been relieved by the plan that had been adopted, was rewarded with the appointment of Ambassador to Holland, with the same compensation of thirty-six thousand dollars for three years' services. This letter, which until very lately has not been obtained, unfolds the plan of the administration, and a scene of injustice and oppression which has few examples in the annals of the world.

This conduct of his Excellency will probably seem unaccountable and mysterious. Every impartial man must be of

the opinion the misfortunes of the campaign, ought to have rested on the officer, whose conduct had produced them—notwithstanding a declaration of war was made before a navy was built on lake Erie, and before other necessary preparations were made, yet no fault, on that account ought, perhaps to have been imputed to the Secretary—notwithstanding the delay in giving me notice of war being declared, and the misfortunes which arose from that delay; and notwthstanding the orders I received to march the army, I commanded to Detroit, eighteen miles in the rear of the enemy's principal fortress, and from thence to commence offensive operations, yet had General Dearborn obeyed the orders he repeatedly received, from Governour Eustis, then Secretary of War, Upper Canada would, without any doubt have been conquered that campaign, and we being in possession of all the harbours, on every side of the lake, the navy of the enemy must have fallen into our possession—There is the strongest possible grounds for an opinion of this kind, all the regular troops in the northern sections of the country were placed under General Dearborn's command; all the militia of the powerful state of New-York, were under his controul and orders. Indeed he had the means in his power of making the invasion from the Niagara River, with an army capable of conquering, as fast as it could have marched, and in his official dispatches to the government, in imitation of Cæsar—three words only would have been necessary, "Veni, vidi, vici." He was ordered to place the forces, under his command, in suitable situations for this purpose, as appears by the Secretary's letters to him, and to attack the enemy's posts, and to co-operate with my forces—He did not obey these orders of the President, communicated by the Secretary, but agreed to the armistice, which has been fully stated—This disobedience of orders was the great cause of the misfortunes of the campaign—After the Secretary had given the necessary orders, had they been obeyed, the object would have been obtained, and the campaign would have closed with conquest and glory, instead of misfortune. Why was he willing, to take on himself that misfortune, and inform General Dearborn that, he was to retain the confidence of the administration, and ought to disregard your opinions?

The Secretary well knew the orders he had given General Dearborn, to co-operate with my army, and how he had disre-

garded them—He knew the manner in which he had made an armistice, and how it was disapproved by the President—He knew that it was done without any authority, and the effects it had on the operations of the campaign—He must have known then General Dearborn ought to have been responsible, for the misfortunes, which he took on himself in his letter, which has been recited. Why then, I ask you, did he consent to relinquish his important office, in the midst of a war, and carry with him disasters, which belonged to another?

In reflecting on this subject, there certainly is great difficulty in determining, what possible motives could have induced His Excellency to have written this letter.—He must have known better than any other officer of the government, all the circumstances attending the campaign—He well knew that I had obeyed every order, which I had received from the government, because he himself as the military organ, had communicated them —He knew, that in obedience to his orders, I had marched the army to Detroit, after the declaration of war, contrary to my own opinion.—He knew that I had made the invasion of Canada, in conformity to the orders I had received from him.—He knew that an attack on Malden, and all my other orders excepting those I have mentioned were discretionary.—With respect to General Dearborn, he well knew, that he had neglected to assemble his forces on the Niagara river, and co-operate with me according to the repeated and positive orders of the President, communicated by him. He had a perfect knowledge, that without any authority, General Dearborn had agreed with the enemy, to a suspension of hostilities, in which my army was not included, and that it was disapproved by the President and the effect which it had on the forces under my command, and on the fate of the campaign.—Knowing therefore that General Dearborn, had been the cause of the misfortunes of the campaign, why did he consent, to become not only the agent of purging him from them, but taking them on himself? If General Dearborn had done his duty, these misfortunes would not have taken place.

I again repeat the question, what could have been the motives of his conduct?

They undoubtedly were, to shelter the administration, and especially the President, whose re-election was approaching,

from any censure, in consequence of these misfortunes. Considering probably, that the safety of the people, is the supreme law, and how much that safety depended, on the officers of that administration, *as a good patriot, and a dear lover of his country*, he probably thought, that any measures were justifiable, which were necessary to effect so desirable an object. I was then an unfortunate prisoner, and the most unprecedented, outrageous, and wicked measures had been adopted to excite your indignation against me. The Secretary himself, was one of the administration, and by his own confession, in the letter which has been recited, the misfortunes of the campaign were attributed to him.

By General Dearborn's letter of the 11th December, to which the Secretary's of the 18th was an answer, it appears that he was trembling on account of discontents, and an opinion that very generally prevailed, that he was most justly entitled to a large share of these misfortunes. How unfortunate for His Excellency, whom we all know to be an honourable man, that he ever consented to write this letter in behalf of the administration, and to wipe off every stain from the commanding General. Better for his honour, had his hand been paralized, before he suffered it to do an act, which he must have known was so evidently unjust. His own letters, written with the same hand, to General Dearborn, have been recited in these memoirs. In them it appears, he was commanded to co-operate with my forces, in the conquest of Upper Canada, and instead of obeying those orders, he agreed to a suspension of hostilities, in which my army was not included, which measure was disapproved by the President. When therefore, he wrote this letter, he perfectly knew, that General Dearborn had not obeyed his orders, and had done an act which was disapproved by his master, which was the final fatal cause of these misfortunes. On what grounds, then, could he say to General Dearborn, you retain the confidence of the government, and ought not to regard the opinions of the people ! I ask whether a greater insult on your sovereignty and rights, and a more barefaced outrage on justice was ever committed ? And why was this done ? Perhaps His Excellency may say, that this was an official letter, and he wrote it merely as the military organ of the administration ? —Granted. Being however, one of the administration, ought

he not to have had more regard to himself, than to have retired from office with misfortunes which did not belong to him; and is there any principle which can justify him in his attempt, to purify General Dearborn, when he must have been sensible, how deeply he was infected.

With confidence I submit to your consideration, and I believe, I might now with safety, to the candid judgment of His Excellency, whether it would not have much better comported with the importance of the occasion, and the principles of justice, to have instituted an inquiry into the causes of those misfortunes, and to have ascertained to whom they ought to have been attributed, rather than to have determined themselves, my fate, and only to have appointed a court martial for the mere ceremony of a trial? The administration, however, did not consider this a safe mode of proceeding for themselves, and I having been the unsuccessful General.—it was thought the public indignation could be transferred from them, and more easily fixed on me, than on any other officer. Hence, for more than a year every possible effort was made, to excite this indignation against me, and all the officers, who could be induced to become witnesses against me, were promoted, and patronized before the trial commenced.

I believe, my fellow citizens, you will be astonished, that General Dearborn should be appointed by the administration President of the court martial; or that he accepted, when he knew how deeply he was interested in the result of the trial; your astonishment, however, I have no doubt, will cease when you read the evidence contained in these memoirs, and perceive, that neither the administration nor the General, had any other safety, than by my condemnation.

I have stated, before, generally, the reasons why I did not make objections.

In addition to those reasons, I will now answer, that I had served with him during the war of the revolution, and that he then sustained the character of a brave officer. I then could not entertain the suspicion, that a *brave* man, could be a *dishonourable* man.

Bravery, honour, and impartiality, I considered inseparable companions.—The old maxim has been confirmed by his conduct, that there are exceptions to all general rules.

At that time I did not know how deeply he was interested in the event of the trial. Although I requested, that all the letters which had any relation to the campaign, might be sent to the court martial, yet many, which were favourable to me, were withheld and could not be found in the public offices; others were likewise withheld and no reason given. It will appear by my defence, that when they could not be obtained from the officers of the departments, I applied to the President for his interference, but, without success.

It will be recollected, that it was then nearly two years after the events of the campaign had taken place. That during that time, I had been in arrest, and the administration, had exhibited capital charges against me; that an honourable and independent court martial had been appointed to assemble at Philadelphia, the year before, where I voluntarily appeared, and was ready for my trial; that, that court martial was dissolved by the President, without giving any reason for its dissolution. That I had been continued another year in arrest, when a new court martial was selected, of which this interested officer was appointed President. As I had been sincerely desirous that all my conduct, during that campaign, should be investigated, I feared, had I objected to the organization of the court, it would have occasioned further delay. I felt so conscious of innocence, and of having faithfully performed my duties, that I preferred even a trial by my enemies, rather than a further procrastination.

I did not believe it was possible, that men, distinguished by badges of honour, could act a dishonourable part; I did not believe it possible, that any patronage which could be given them, by the administration, or indeed any considerations could induce them, to deviate from the paths of *Justice* and *Honour*, which in all ages have been the glory of the military profession.

When, however, I saw the commander in chief of our armies at the head, and when I beheld a majority of the members, young Lieutenant Colonels, very lately promoted to that rank, and some of whom, I knew had been his Aids-de-Camp, and introduced into the army by his patronage, and others, whose names I never had heard, until they were called on that service, I thought it a strange organization of a court martial for the

trial of a General officer. Especially when invariable custom, and the articles of war provided, that officers should be tried by those of at least as high rank as themselves, where such officers could be obtained.

With respect to the President, it was strange, and indeed unprecedented, to see the first officer of the army, serving on a court martial. Some very special reasons, must have induced the President to have made this appointment, and the General to have accepted it. He was the commanding General of the armies of the United States. The spring of 1814, was a critical period of the war: it was an established principle during the revolutionary war, that the commander in chief never served on a court martial; the reason is, that an officer appointed a member, from the time a court martial is ordered until it is dissolved, is not called on to perform any other duty. It was several months after this court was instituted before it was dissolved. The command of the army therefore, during this time must have devolved on a junior officer. Unless, therefore, some very particular reasons had operated, would General Dearborn have relinquished the command of the army, and degraded himself by performing a duty to which the youngest General was competent? I believe, my fellow citizens, you will form a correct opinion on this subject, and believe, that both the fate of the administration and the fate of the General depended so much on this trial, that they were not willing to trust it to other hands; and likewise that the first court martial, composed of honourable and independent characters was dissolved for the same reasons.

I have thus explained the preparatory plan of the administration that you may compare it with the tyrannical and barbarous principles the court martial adopted, and the measures which it pursued.

No. XXX.

On the 3d of January, 1814, the Court Martial, of which General Dearborn was President, assembled at Albany. On receiving notice of the time and place of its meeting, I voluntarily attended. Although I had been more than a year in arrest, on capital charges, yet I had never been for a moment restrained of my liberty, in the least degree; and the established military custom of depriving an officer in arrest of his sword, had been waved. From a sense of propriety, I resigned it to the court, with the most well founded expectation, as I firmly believed, it would have been returned with honour. I cannot but think you will rightly estimate the motives of these indulgencies, and will be satisfied, they were not granted from any favourable disposition towards me. The officers of the administration well knew, that I had obeyed every order which had been given me, and that I had not been guilty of any crime unless the honest exercise of my discretion, in which they had fully confided, was one. I believe every man who obtains a correct knowledge of the facts, will not entertain a doubt of the motives of this apparent liberality. It was undoubtedly hoped that the terrour of the charges would have driven me from my country, and that such a desertion would have been considered as an acknowledgment of my guilt, and an absolution of the faults of the administration.

If any doubts can exist, with respect to the motives of my prosecutors, in relation to this apparent liberality, I think they must be removed by the fact which I shall now relate. On the day the sentence was passed, the 28th of March, 1814, by direction of the Court Martial, the President wrote a letter, of which the following is a copy.

Albany, March 28th, 1814.

SIR,—You will please to return to your usual place of residence, in Massachusetts, and there continue, until you shall receive orders from the President of the United States.

Your humble servant,

H. DEARBORN, Major Gen. }
and President of the Court. }

Brig. Gen. Wm. Hull.

The seat of the court martial was at Albany, and the seat of the government at Washington, where the President resided. The sentence was capital. I ask you, my fellow citizens, on what grounds the court martial would have dared, thus to have left me, by its own order, at perfect liberty after such a sentence? Is not this conclusive evidence in your minds, that there was a concert, and understanding between the leading members of the court martial and the administration, and that the sentence, which was to be pronounced, was determined in the cabinet at Washington, before I was called to answer, or a witness was examined? And whether it was not likewise determined that the sentence should be remitted? I ask you to account for this conduct, on any other principles?

Conscious of innocence, I never asked myself for mercy nor authorized a friend to intercede in my behalf. Had I been guilty of the crimes with which I had been charged, I ought in justice to you, to have made an atonement by my blood. I must again repeat the question, whether the court martial could have dared thus to have given me my liberty, by which I might have avoided the execution of the sentence, unless such a concert and understanding existed before the trial? Such conduct would be trifling with the most important duties, which men can be called to perform; it would indeed have been making, not only a mere ceremony, but even a mockery of justice. The despicable meanness of leaving me in a situation, to avoid the sentence, of which they were ashamed, no language can describe, and no example can be found, from Adam to the present moment.

Before the trial commenced, I objected to the employment of other counsel than the Judge Advocate in the following language. [See Lt. Col. Forbes' report of the trial, page 12.] "Whatever reasons may be urged, to exclude professional aid on the part of the prisoner, let me ask with great respect why they will not equally apply, on the part of the prosecution. And yet it is most evident, that the officers of the government who have instituted this prosecution, have not felt the force of those reasons:—If they had, they would have left the prosecution, to be conducted by the military prosecutor. And yet it is seen, to the charges drawn up against me, the name of one of the most eminent counsel in the United States: and I likewise

find enlisted against me, in aid of the military Judge Advocate, a professional gentlemen of this State, not less distinguished for his talents."

I have made this statement, in order to show to you in the plainest manner, the inconsistent, unequal, and tyrannical principles which were adopted by the court martial in the commencement of the trial, to contrast them with the decision, which at the same time was made on my application for counsel, to assist me in my defence.

I cannot but here observe, that not only the character, which I had established in a life of public services, for near half a century, and particularly in fighting the battles for your safety, glory, and independence, was at stake, but that life which God has given me.

I did not ask to be permitted to employ counsel at the expense of the government, but at my own expense.

I will now inform you, what was the decision of the court, which was rigidly adhered to throughout the whole trial.

That the counsel, employed by the administration, my prosecutors, should be admitted to examine the witnesses, produce the documents, speak to all collateral questions, and lastly, to the final question, and that I should not be permitted to employ counsel, even at my own expense, to open their lips, in the presence of the court, in examining witnesses, producing documents, or speaking on any collateral questions of law, which might arise, in the course of the trial, or on the final question, whether guilty or not guilty. Here you see, one rule was established for the prosecution, and another for the prisoner in his defence. My object will be, now, to prove to you, that this decision of the court martial, was not only unequal, inconsistent, and tyrannical, but that it was contrary to the fundamental principles of our government, and the spirit of the constitution of our country. To that constitution which was obtained, by the blood of many of your Fathers I now appeal, and if the members of that court martial will read it in the spirit of candour, they must feel shame and remorse, for the principle they adopted.

By this constitution, it is provided, that in *all* criminal prosecutions, the accused shall enjoy the right, to have the assistance

of counsel for his defence. Here the right is placed on the broadest foundation.

This right is the property of every individual. No power can deprive him of it. It is the first, and highest law of the land—Congress has no authority to make a law contrary to it—It is binding on all courts, both civil and military.

Instead of adopting the rational and liberal principles, and spirit of our constitution, which ought to be engrafted on all our institutions, the court martial searched the records of that nation with which we were then at war, and from which we had separated, on account of the oppression, and tyranny of its government. In those records far back, in the dark ages of arbitrary and despotic government, when a prosecution by the Crown, was in effect, a sentence of death, and when the object was to guard against every interposition, between the accused, and the sword of the king. The court martial, with the assistance of their unauthorized special Judge Advocate, found some authorities, on which to ground their decision.

In recurring to the authorities, on which those tyrannical principles adopted by the court martial were founded, it will be seen, that the English writers, who have attempted to support them, finding they were contrary to the fundamental principles of the British government, were obliged to refer to the practice of the Egyptians for their support.

As I observed to the court martial, every commentator who has written on the subject, has blushed for the absurdity and barbarity of the reasons on which, the exclusion of counsel, in behalf of the prisoner, is founded. Speaking of this rule, Blackstone says, "It is a rule, which however, it may be palliated, seems not to be of a piece with the rest of the humane treatment of prisoners, by the English law; for on what face of reason can that assistance be denied to save the life of a man, which is allowed him in every petty trespass."

Christian, in his Notes on Blackstone, says—"It is very extraordinary, the assistance of counsel should be denied, where it is wanted most. That is when it is wanted to defend the life, the honour, and all the property of an individual."

Thus we see the light in which the liberal commentators, consider this subject.

Shall we, then, who live under the freest government in the

world, be governed by rules, which are derived from such a source, and have originated in such motives? Shall we adopt rules at which the sense, reason, and humanity of mankind, since the civilization of the world, have revolted? I ask these questions with a confidence, that when *you*, my fellow citizens, have considered them, you will answer them, with the spirit of freemen, and stamp your indignation on any tribunal, acting under your mild constitution, which has adopted such inhuman, and barbarous principles; principles so contrary, to the genius and spirit of the government, under which you live.

If, my fellow citizens, you find such principles, as have here been exhibited, adopted by the court martial, at the commencement of its proceedings, what will be your expectations in the progress and final issue of the cause. To your candid judgment I submit the subject of this memoir, and in my next, shall consider the conduct of the court, in admitting the opinions of the witnesses to prove the charges against me.

No. XXXI.

I MUCH fear that I shall not be able to do justice to the subject of this number. Each of you, my fellow citizens, as well as myself, have a deep interest in the principles which will be considered—not only your characters and all that is dear to you, but your lives may depend on them. It is easy to make out a string of capital charges against any individual in public or private life. If the opinions of witnesses are admitted as evidence to prove such charges, the witnesses themselves become the judges, and the necessity of any other judicial tribunal is superceded. All the proceedings may be summary; it will only be necessary for the accusers, which in this case were the administration, to call up the witnesses, take their opinions, and execute the sentence. Such a precedent becomes law! and must govern in future similar cases. Whenever the court admits the opinion of witnesses as evidence of the proof of facts,

it yields up its prerogative to the witnesses, and they really appear in the novel character of judges.

In the present depraved state of human nature, the most incalculable evils would be produced by a system of this kind. Interest, prejudice, revenge, and malice have so powerful an influence on human conduct, that the ties of moral obligation are broken by them, like cobwebs, and lose all their binding influence. By the admission of such a principle, therefore, the lives and dearest interests of any individual may easily be sacrificed on any altar, where such passions are kindled.

Where facts are necessary to prove charges, witnesses are restrained by the obligations of oaths. Their testimony is liable to be controulled by other testimony, and if it appears they have testified falsely they are liable to be indicted, and punished for the crime of perjury. The obligation of an oath, for the proof of facts is the best security that can be afforded. This security is entirely removed where the opinion of witnesses are taken. For no man is liable to punishment for his opinion, and it would be impossible to prove the motives that induced him to give it. They remain in his own breast. The Court Martial was appointed to determine whether certain facts were true which constituted criminal charges. The witnesses were permitted by the court to give their own opinions, without stating any facts which would be the least foundation for them. The facts on which the charges against me were founded, were—

1st. For employing a small vessel at the Miami of lake Erie, to transport the sick and baggage not wanted on the march, to Detroit, the distance being about seventy miles.

2dly. For not attacking the enemy's fortress at Malden.

3dly. For retreating to Detroit and there taking a defensive position.

4thly. For not opening my communication to Ohio ;—and 5thly, for agreeing to the capitulation.

For the employment of the vessel a charge of treason was founded. By the foregoing numbers it will appear, that this measure would have been highly proper, in time of peace, and that I had received no knowledge of the war. And this want of knowledge, was occasioned by the fault of the Secretary of War, in not giving me as early notice of it as might have been given,—and the evidence was stronger (if there had been

treason) that it was at Washington, than at my camp. If any precedents could have been found, where the opinions of witnesses had been admitted to have proved overt acts of treason, this charge might undoubtedly have been proved. To establish a new precedent, after great deliberation, was thought too open, and too outrageous an attack on justice. The reaction it would have on the administration, probably operated more powerfully, than any other consideration. As I have before observed, on this charge, and its specifications, I was acquitted, and opinions were reserved for those which followed. By a recurrence to the evidence which has been exhibited, contained in the letters of the Secretary of War, it will be seen, that I had no orders on any of the subjects, and that all these acts were intrusted by the administration to my discretion. The crimes, therefore, of which the administration accused me, were, for not exercising this discretion properly; for not exercising it in the manner which some of the militia officers of the state of Ohio thought they would have exercised it, had they commanded the army, and had it been intrusted to them. If *they* had been Generals, (and some of them were so created, immediately after the campaign, by the administration, for their wordy valour,) *they* would have attacked Malden, *they* would not have recrossed the Detroit river, *they* would have opened the communication to Ohio, *they* would not have agreed to the capitulation.

By an attention to the evidence against me on the four last charges, it will likewise be seen, that the opinions of these same inexperienced, and interested officers, were received by the court martial, to prove my depression of spirits, and the alteration of my countenance. For two or three nights, I had little or no sleep, and had very few officers to assist me, in whom I could place the least confidence. My principal officer, Colonel Miller, was sick and unable to perform any duty. With entire confidence I shall submit to your judgment, whether the fatigues I had endured, the high responsibility of my situation, and the want of any kind of assistance, on which I could depend, will not sufficiently account for a depression of spirits, and a different appearance of countenance? Colonel Snelling was promoted and selected as a leading witness against me. It is a duty I owe both to myself and to you, to state his situation at that

time, and show how deeply interested he was in the result of my trial.

On the night of the 15th of August, he commanded the guard, stationed at the Spring Wells, and there was attached to his command a piece of artillery. At this place General Brock landed with his army the next morning at day-light. Colonel Snelling was ordered to remain at this post, until he received orders from me to retreat, or until he was compelled by a superiour force of the enemy—and to give me information of any movements of the enemy The Spring Wells were opposite to Sandwich, where General Brock's forces were stationed, and his vessels of war were on the river between the two places. Colonel Snelling without any orders from me left his post, and marched his men to the fort, with the piece of artillery, a little before day light on the morning of the 16th. His testimony before the Court Martial is in these words—" I returned with my detachment before day, I think the dawn was perceptible on my arrival at the fort, but am not certain; the piece of artillery I left at the gate of the citadel—my detachment I marched into the fort."

When Col. Snelling was giving his testimony, and was inquired of, from whom he received orders to return from his station at the Spring Wells at day light, in the morning, he answered—" From some person in the General's family, I do not recollect whom, I believe from Brigade-Major Jessup, but am not certain." Col. Snelling wished afterwards to alter this testimony, and then said there was a man called Col. Wallace, not recognized by the officers. He did not, however, say he received orders from him.

These facts he acknowledged, and thus he equivocated in his testimony.

Major Jessup was present, when he made this acknowledgment in his testimony, of leaving his post, and undoubtedly informed him that he did not give him the orders, which induced him to alter his testimony. His mere hint, with respect to Col. Wallace, was probably intended to make an impression that he received the orders from him. Although he does not say it, as Col. Wallace was present, and would have contradicted it; and there was this further reason, as he himself declared, that Colonel Wallace, was not recognized by the officers, as an

aid-de-camp, and consequently, had no authority to give such orders.

Knowing the fact, that he had abandoned his post without orders, he well knew what his fate must have been, had I been acquitted. Nothing but the events of the 16th, prevented me from arresting him at that time. In forming a judgment on his testimony the fact here related, you will, undoubtedly, think ought to be kept in mind. Col. Snelling was not on trial, and the court did not think proper to investigate the fact, although I stated I had not authorized any officer, to order him from his post.

As his opinion was relied on to prove the most important charges, it would have been dangerous to have suffered any thing to have been said which would have invalidated his testimony. These opinions were received to prove entire charges, and entire specifications of charges. By thus receiving the opinions of a witness in the whole matter in issue, or on a particular specification, in a charge, is precisely the same, as presenting the list of charges, and asking each individual witness, whether he believes the accused guilty? If the witness is credited, of what use is it for the court to go farther? The accused is found guilty by the opinion of the witness, and the members of the Court Martial become the mere organs of his opinion. If, on the contrary, the witness swears to facts, the court is left to decide, whether the facts are proved, and whether the facts thus proved constitute the charges. As a fact, a witness can answer with certainty; his testimony, if untrue, can be impeached, circumstances may be introduced, to rebut its inferences; but where is the restraint on opinion? The witness is licensed and free! He roams at large, and if unchecked by any moral obligation, he finds an easy victim in any individual, against whom the want of success alone, has excited the public clamour.

To engraft a scion of this kind, on the tree of liberty, which was not only planted by our forefathers, in this soil of freedom, but protected by their valour, and nurtured and defended by their gallant descendants, would produce a branch, whose fruit would be as dissimilar to that of the original stock, as despotism is dissimilar to freedom,—and the taste of which could never be relished, by the present or future generations.

If the human feelings and passions can be determined by the appearance of the countenance, and witnesses are admitted to testify what those feelings and passions are by this standard, and capital offences are to be proved in this manner, I ask you to consider to what dreadful consequences such a doctrine would lead. Allow me here to offer an illustration. When Colonel Snelling was on the stand, giving his testimony before the court martial, I myself, and many others present, observed a strange and unusual appearance in his countenance; we were of the opinion that it indicated strong features of prejudice, malice, and revenge against me, and a fixed determination to say every thing he could bring to his recollection to injure me, and prove the high charges which were exhibited against me. Suppose Colonel Snelling had been indicted for perjury, for giving this testimony—and suppose we had been called on as witnesses, to have proved that he had been guilty of perjury—would our testimony, whatever knowledge we might have professed to have acquired in physiognomy, have been admitted by any court, to have proved, by the expression of his countenance, that he had been guilty of perjury?

It is impossible to conceive the evils which would result from admitting the opinions of witnesses in proof of charges of *this* kind. The judgment of the court, distracted amidst the conflicting opinions of conflicting interests, has no guide; its powers are transferred to another tribunal; and the unfortunate prisoner stands convicted, not on facts, but on *opinions*. The result of such proceedings must necessarily lead to the most unheard of abuses. An administration, instead of resorting to the ordinary modes of criminal proof, would have only to hunt up opinions, to bring to the scaffold the most meritorious characters. The experience, knowledge and characters of the witnesses, in the case now under review, will present a striking illustration of the subject. They were principally militia officers, born and educated in the wilderness of Ohio, who had no other knowledge of military movements, excepting what they had acquired in the training of companies about their doors. They had been elected as officers by the men they commanded who considered themselves in every respect as their equals, and would not submit to the necessary restraints of military discipline. If they received any orders from these officers which

they disapproved, it was their custom to consult together, and determine what measures should be pursued. It frequently happened, that these officers were treated with the greatest indignity; and one of the officers of the 4th regiment testified, on my trial, (see Lieut. Col. Forbes' report, page 124) "that one evening, at Urbanna, there was a noise; when he [witness] ran out to inquire the cause, and saw some men of his regiment, who informed him, *it was only some of the Ohio militia riding one of their officers on a rail.*"

It is with deep regret that I mention circumstances of this kind, and should not do it, were it not necessary you should know the character of both officers and soldiers who composed the army furnished by the administration.

Farther to illustrate the subject under review; I will here repeat the same observations which I made before the court martian in my defence. I recite the words of my defence, because if I had then made any statement which was not founded in truth, the court would have corrected me.

"It seems extraordinary, that there has not been a witness examined on the part of the prosecution, who has not been promoted since he was under my command. A great majority of the young gentlemen who have been called by the Judge Advocate, have appeared decorated with their epaulets; these have been bestowed, and sometimes with the augmentation of a star, upon gentlemen who began their military career with my unfortunate campaign.

"By what services many of these gentlemen have merited such rapid promotion, I have not learned. But if it all arises out of their achievements while under my command, I must say, that it appears to me my expedition was more prolific of promotion than any other unsuccessful military enterprize I ever heard of.

"It cannot be that it has been intended to give a weight to the testimony of these witnesses, by giving them ranks and honours, which it would not otherwise have had. But when my military character and measures are to be tested by the *opinions* of gentlemen, with high sounding titles of military rank, I think it necessary to remind the court, that with the exception of a few of the young officers, there are none of them who have not been promoted to their high stations without hav-

ing had any military experience, and without, as far as I have heard, ever having discovered any military talent or genius.

"If the opinions of witnesses, on military subjects, ought in any case to be listened to, (which I conceive ought not to be) yet I think the opinions of men of these descriptions ought to be received with the greatest caution."

Without imputing unworthy motives to the administration, in making these promotions, as inducements to the witnesses to give a high colouring to their testimony. I endeavoured to account for it in the following language.

"The extraordinary promotions which the witnesses against me have generallv attained, I think may be accounted for, by a recurrence to the fact of which this trial has afforded the most conclusive evidence; which is, that each of the witnesses. from the General to the youngest and lowest officer that has been called by the Judge Advocate, is himself, in his own opinion, a *hero*.

"From General McArthur, who thought himself capable of fighting a whole garrison, down to the lowest rank, every officer seems to have thought, that if *he* had been the commanding General, or if I had taken *his* advice, all would have gone well. No doubt they have, in justice to themselves, made these representations to the government; and their rank must be considered a reward for the great things which they *said they* would have done, rather than to have been acquired by any actual service."

Before I close this number, I cannot omit to make some observations on the unprecedented rule which the court adopted in the examination of the witnesses, which was, to examine each witness in the presence of the rest. And here I will make the same remarks which I made in my defence.

"Till this court decided that it should be so, I did think it was a well established rule of martial as well as civil law, that the witnesses should be examined separately. The justice and propriety of this rule I have very sensibly felt on this occasion. In a case where so much may depend upon the language or phrases in which the witnesses express themselves, it would have been desirable, that each should have been left to the necessity of selecting his own language to express his meaning. But according to the course pursued, each witness was at liber-

ty to adopt the words which had been used by any other witness on the same point.—The disposition of several of the witnesses to do so, has been very plainly manifested, by their answering, when interrogated respecting my personal behaviour, that it was the *same* as had been represented by a prior witness."

In these courts martial, when the members, among whom there may be great inequality of grades, are intended to be put on an equal footing as judges, care has been taken to avoid, as far as possible, the influence likely to arise from authority. It is on this account, that the opinion of the youngest is always first taken. And it was on the same account, as I conceive, that the rule was established, that witnesses should be examined separately—that the younger might not be influenced in his testimony by what might be said by his superiour It would be contrary to experience of the human disposition to suppose, after a subaltern had heard two or three Generals, and officers of higher rank than himself, testify, to whose authority he is perhaps subservient, or to whose good word he may have owed, or expects to owe, his promotion, that he will be willing to contradict what his superiours have said, or even to make a representation which will vary from theirs.

If, in any case, the weight of this sort of influence could be felt on the testimony, the mode which was pursued gave it the fairest scope.

The witnesses were generally arranged, and produced according to their rank, *commencing* with those who had been promoted from the rank of Lieutenant Colonels in the Ohio militia, to the rank of Generals in the standing army, and the principal one with an additional appointment as Governour of the territory of Michigan, which appointment, for nine years, I had held, during which time my conduct in that station had uniformly received the approbation of the government. When the trial commenced, the question arose, whether the witnesses ought to be examined in the presence of each other; to which the President, General Dearborn, replied, that it was not necessary, in his judgment, to examine them apart. [See Lieutenant Colonel Forbes' report, page 117.] As all the proceedings of the court were regulated by his opinion, it would have been only a useless waste of time to have discussed the ques-

tion.—His judgment was pronounced in a positive manner, and the Court at once acquiesced in it. As the strong barriers of the constitution had been no security, but had been overleaped, on other questions; and objections on this could only have been drawn from precedent, and the authority of the best writers on military subjects; I believe you will be satisfied that any reasons I might have offered would have been unavailing—especially after the judgment of so great an authority as the commander in chief had been pronounced; *especially* as the whole plot which had been concerted might have failed.

Thus have I exhibited some of the leading principles by which the proceedings of the Court Martial were governed, for the purpose of giving you a knowledge of the manner in which my trial was conducted.

If this were the conduct of the Court Martial, it may be asked why I addressed them in different language in my defence. The reason is, my observations were then made according to the knowledge I possessed. The necessary documents to show how deeply interested the President of the court was, could not be obtained. I acknowledged the patience of the court, as it had been manifested by a session of more than forty days. In many instances, the course which was pursued was contrary to any experience of which I had any knowledge, and to which I objected. The President and members were constitutional judges, and if they erred, as all men are liable to err, I hoped they were honest errours. I observed I had confidence in their honour; from my youth I had always been taught to confide in the honour of military characters; indeed those observations were made on the ground that it is human to err. I objected, however, and stated my own ideas at the time. It would have been improper for me then to have imputed other than honourable motives; although there appeared to me a deviation in the course, yet, in the end, I expected justice. The pill which had been made for me had been prepared in secret, and it was so covered that I could not discern the deadly poison which it contained. Having now obtained and spread before you the evidence, with respect to the deep interest which both the administration and the head of the court had in the result of the trial, I believe the answer I have given to the inquiry I have mentioned, will be satisfactory.

Every member of that court martial depended on the administration for his military existence; and on you, fellow citizens, the administration depended for the continuance of power.

The declaration of war, without suitable preparation, and the misfortunes which had attended its progress, excited your just resentment. The language of discontent, in the first instance, was pronounced by you, with a freedom becoming your character, and pointed against those to whom you had committed your safety. The very ground trembled on which the administration stood. To satisfy your just resentment, it was evident a sacrifice must be prepared. The plan presented in my last number was devised, and the execution of it committed to the the court martial, whose leader had been rendered immaculate, by the Secretary of War, who retired from office, loaded with all the misfortunes this leader had occasioned.

Having now, fellow citizens, presented to you a narrative of the north-western campaign, with the documents and evidences relating to it; I shall relieve your patience, after furnishing one number more, in which will be condensed a summary of the principal facts, contained in the whole. The object of this summary, is to exhibit to you, at one view the most important facts, which caused the misfortune, which the Secretary of War, was of the opinion would be attributed to him. This summary will be published, as soon as I am able to prepare it.

No. XXXII.

In the second memoir which I presented for your consideration, I exhibited a general outline of the facts which it was my object to prove in the subsequent numbers. I have endeavoured faithfully to redeem the pledge which I then gave. After having stated the facts and produced the evidence it was my intention to have relieved your patience and submitted the propriety of my conduct to your judgement on the facts and evidence contained in those numbers without recapitulating them. But as some of my readers, from the manner in which they have been published, have not been able to obtain the whole of them,

and preserved the connexion, an opinion has been expressed that the subject will be more clearly and generally understood by condensing and bringing into one view the material facts which they contain. In compliance with this opinion, I will devote this number in as concise a manner as possible, to the attempt.

In the first place, the reasons are stated why this communication has not before been made, and why the evidence and documents now introduced were not produced in my defence. The delay, I told you, was occasioned by the loss of my papers and copies of the duplicates having been withheld, though frequently applied for until the autumn of 1823, when on application they were immediately forwarded me by the present Secretary of War, Mr. Calhoun. I then disclosed to you the motives which induced me to accept a military appointment in the spring of 1812, and take the command of the forces which composed the north western army. In consequence of an expectation of war with Great Britain, the savages of the north and west had been excited to hostility by the military officers and Indian agents of Canada, and it was deemed by our government, both expedient and necessary to provide a force for the safety and protection of the defenceless inhabitants of the frontiers. To effect this purpose, twelve hundred militia from the State of Ohio and the 4th United States' regiment, then at St. Vincennes, were detached by the President. I was then Governour of the Michigan territory, and in connexion with that office, I accepted the command of these troops, not by my own wish or request, but at the urgent desire of the administration. About the middle of April I left Washington and previously to my departure, I stated to the President in repeated communications through the Secretary of War, my views with respect to the command, declared that I considered the force not only sufficient in point of numbers, but likewise a of suitable character for the object for which it was designed. That this object was the protection of the frontier against the savages, appears from the instructions I received from the Secretary of War, and in which letter I was ordered to proceed to Ohio, take the command of these troops and march them to Detroit, where I must make the best arrangements in my power, for the safety of that part of the country. It was then understood that in time of peace, De-

troit or some other position on the west part of lake Erie, was a suitable station for that purpose because all necessary supplies could easily be transported over that lake. I not only communicated to the government my views in time of peace with Great Britain, but also in the event of war with that nation—and stated in the most explicit manner, that a navy on lake Erie, sufficient to preserve the communication, would be indispensably necessary, and that without such a navy, the posts of Detroit, Michillimackanack, and Chicago, could not be maintained. That likewise, in such an event, all the savage warriours residing both in the British dominions, and our own territories, would probably join the British standard. After making these statements, I took the command of the army in Ohio, and opened a road two hundred miles through a wilderness. On this road I built a number of block houses, leaving in them a small force for defence, and made use of the best means in my power to preserve my communication.

While I was yet in the wilderness, the government on the 18th of June declared war. I received no account of it until the 2d day of July, while the enemy at Malden were apprised of it several days before, although that place was much farther from Washington than my army. If proper measures had been taken, this important event might have been made known to me in less than half that time. In consequence of this neglect of the administration, a vessel was taken by the enemy with the sick of my army and the hospital stores, while on her passage from the rapids of the Miami to Detroit, which vessel would not have been employed in this service, had I received intelligence of the declaration of war even one day sooner. For sending this vessel I was accused of the crime of treason by the very administration by whose neglect alone the misfortune had been occasioned. In this letter, giving me information of the declaration of war, I received positive orders to march the army to Detroit, eighteen miles in the rear of the enemy's principal fortress at Malden, and there wait for further orders. Accordingly I proceeded, and on the 5th July, the army arrived at etroit. I then called a council of war, at the earnest importunity of my officers, when it was declared expedient to cross the Detroit river, and make the invasion of Canada, notwithstanding it was well known that my instructions were to remain there

for further orders. Much discontent was excited among some of them by my refusal to comply with their wishes. On the evening of the 9th of July, I received the letter of the Secretary of War, containing orders to cross the river and invade the enemy's territory, and in the same letter was contained a discretionary authority to make an attack on the fortress at Malden, if in my opinion, my force was adequate to the enterprise, and it could be done consistently with the safety of my other posts.

On the same evening I received this letter from the Secretary, I wrote to him, that it was my opinion that my force was not adequate to the enterprise, and stated my reasons. This letter was received by the Secretary, and laid before the President, who fully approved of it, and of all my conduct, and, notwithstanding the measure of attacking Malden was left to my discretion, and notwithstanding I had stated as my opinion that my force was not equal to the enterprise, and although this opinion had been approved by the President, yet this very measure was made a charge of a most serious nature—supported alone by the *opinions* of some of my officers, that Malden might have been taken.

In the course of my numbers, I stated, as reasons which induced me to think it expedient to commence offensive operations in conformity with the orders I received—that I should be enabled to obtain supplies for my army from the enemy's country—that it would satisfy the apparent impatience of my officers—and that a display of the American flag on both sides of the river would have a favourable effect, both on the savages and the militia of Upper Canada—but that the most powerful inducement was, to dislodge the enemy from the opposite bank, where he was erecting batteries, which would have greatly annoyed the town of Detroit. Immediately after making the invasion according to my orders from the administration, I issued a Proclamation to the inhabitants of Upper Canada, pledging to them the faith of the government, that they should be protected in their persons, property, and rights, I have stated also the manner in which this proclamation was received and approved by the President, as well as the use which was made of it at the treaty of Ghent.

By an examination of the evidence which I have exhibited,

the objects of the government in ordering the forces under my command, are fully unfolded. This evidence is the highest which the nature of the case will admit. It is contained in the message of the President of the United States to Congress, after the campaign closed. By this message it appears, that these forces were ordered to Detroit in time of peace, with a view to the protection of the territory against the savages, and in the event of war, to take possession of lake Erie, and to co-operate with other forces in the conquest of Upper Canada. This object of taking possession of lake Erie against a strong naval force of the enemy, by a small band of Ohio militia, was never communicated to me by the administration, and the first knowledge I had of it was from reading this message seven months after the campaign ended.

The *projects* of the President, as communicated by his message, not being realized, such a navy was immediately ordered to be built as I had at first recommended. With regard to co-operation, I had the fullest reason to suppose that I should be assisted by the army on the Niagara river, at the east end of lake Erie. The enemy's principal station was at Malden, eighteen miles below Detroit, on the other side of the river. The number of troops it contained, from the time of the declation of war to the 16th of August, has been stated, and the proof furnished. I remained four weeks at Sandwich, on the British side of the river; and during that time I called two councils of war, to consider and determine whether it were expedient to attack the fort at Malden with the bayonet alone. No cannon were on carriages suitable to assist in the operation; every possible exertion had been made, and was then making, to prepare them. It was the opinion of the majority of the first council, that it was not expedient to make the attack, without the assistance of cannon. At the second council, I stated, that the heavy artillery was not in readiness, but would be in two or three days. The question was then submitted to the council, whether it were expedient to wait for the heavy artillery, in order to make a breach in the works, or immediately to make the attempt with the bayonet alone. Before the question was taken, I observed to the members, that if it should be their opinion that it was best to make the assault immediately, and they would answer for their men, I would lead them to the attack.

Colonel Miller, who commanded the regulars, replied that he would be answerable for the men he commanded. Colonels McArthur, Cass, and Findley, who commanded the militia, said they would not be answerable for their men, but hoped they would behave well. The council then determined that it was expedient to wait two days longer for the heavy artillery. In the afternoon of the 7th of August, I received letters from General Hall and General Porter, who commanded on the Niagara river, informing me that the principal part of the troops in the enemy's stations at fort George, fort Erie, and other posts on the east part of the province, were advancing to Malden; and that a large body of troops had passed over and landed on the west side of lake Ontario, and were likewise marching against my army. These letters further stated, that there was no probability that any assistance would be afforded from that quarter. Thus it appeared, from the information sent me, that the whole weight of the war in Canada rested on the few troops under my command, and certainly they were not equal both to offensive and defensive operations.

Michillimackanack had fallen, and all the forces from that direction were descending the lakes to operate against me. The savages from lake Michigan had arrived on the head waters of the rivers Raisin and Huron in thousands, (as Colonel Anderson expressed himself in his letter) and were marching to Malden. The defeat of Majar Van horn had taken place at Brownstown, in his attempt to open the communication to the river Raisin; and indeed, every avenue to my country, both by land and water, was entirely closed. With this information before me, and under this unexpected change of circumstances, I considered that it was my duty to abandon the enterprise, and recross the river with the principal part of the army, which I did on the night and morning of the 8th of August. The great reason which induced me to adopt this measure, and which indeed was decisive in my mind, was, that the very existence of my army depended on opening the communication to Ohio—for though success might have attended my arms in the attack on Malden, I should yet have been left under the same embarrassment, in having my communication with Ohio still closed. In addition to these reasons, I had received information that British troops had arrived in several vessels from fort Erie, as re-

enforcements, and that the militia, which before had left Malden, had returned to their duty, on a proclamation of pardon from the commanding officer. On the 8th of August, the day I recrossed the river, a detachment was made of six hundred of the best of my troops, under the command of Colonel Miller, to open the communication to the river Raisin. This detachment was met, near Brownstown, by a superiour number of the enemy, and a severe contest ensued, and terminated with honour to the American arms. The loss on our side was between eighty and ninety killed and wounded. Nothing however but glory was acquired by this victory; the fatigue which had attended the expedition, the loss of killed and wounded, and a severe storm, prevented the detachment from proceeding on the expedition. On the 14th of August, I made another attempt to open the communication. For this purpose, I ordered another detachment, consisting of the effective officers and men of Colonels McArthur and Cass' regiments. This body was directed to proceed to the river Raisin, a number of miles west of the Detroit river, by a circuitous Indian path, to avoid further molestation from the enemy. The distance was greater, but it was my only alternative.

The effort to open the communication, by the detachments under Major Van-horn and Colonel Miller, proving abortive, and before the one under Colonel McArthur marched, I stated, to some of my principal officers, that from the information I had received, it was evident that the whole force of the enemy, of all descriptions, from the east part of Upper Canada, from Michillimackanack, and from lake Michigan, were proceeding to join the forces at Malden; that the lake was closed against us; that the road which we had opened from Ohio was obstructed by hostile savages, and that no forces from our country were prepared for its protection; that the provisions were nearly exhausted, and a supply could not be obtained from any quarter; and that, under these circumstances, I suggested the expediency of making a movement of the army to the foot of the rapids of the Miama, and there act as circumstances might require. The answer to this was, as appears by Colonel Cass' testimony, that the men, or soldiers, did not think such a measure necessary, and if the orders were given, they would not be obeyed.

This circumstance I have repeated, to show the materials of

which my army was composed, and the difficulties which attended my situation. Had this measure, at that time, been carried into effect, the army probably would have been saved.

On the 15th of August, the day after McArthur and Cass marched to the river Raisin, the British forces, with the militia and savages, attending them, marched from Malden to Sandwich, opposite to Detroit, with General Brock at their head. His letter, demanding a surrender of Detroit, and my answer, have been recited. I immediatly sent an express, strongly escorted, to McArthur and Cass, with orders to return with all possible expedition to Detroit; stating that General Brock had arrived, with the re-enforcements from fort George, &c. &c. &c. My situation had now become most critical. The effective strength of two of my regiments was absent at the river Raisin, for the purpose of opening the communication, and guarding necessary supplies, intended for my camp. The British troops which had composed the garrisons on the east end of the lake, with the re-enforcements from various parts of Upper Canada, had arrived, and, together with the force at Malden, were now encamped at Sandwich, opposite to Detroit. Information was received, that the Canadian militia were coming upon me from every quarter. How all this force had been brought from so many necessary points of defence to bear upon my army, I could not imagine. What possible reasons could have induced General Brock to draw his troops from the vital part of his province, and leave his most important posts exposed to be taken by our troops on the Niagara river, was truly mysterious. Could I have supposed that a suspension of hostilities had taken place in that quarter, it seems reasonable that it would have been under the condition for the two beligerent parties to have been confined to that location in which they were situated at the commencement of the truce.

By a reference to the preceding numbers, it will appear, by the letters from the Secretary of War to General Dearborn, that he was commanded by the President to concentrate his troops on the Niagara river, invade Upper Canada from that quarter, attack the enemy's posts, and co-operate with the forces under my command. It will further appear, that he did not carry these orders into effect, but agreed to the armistice which has been mentioned, which must have been unauthorized by the

President, because it was disapproved in the most pointed language. My army not being included in the measure, and, as has been observed, no condition having been made, that the troops should remain in the situation they were, during its continuance, the effect it had on my operations is too evident to be here repeated; it must be considered as the principal and immediate fatal cause of the disasters of the campaign.

After the capitulation, I first learned from the lips of the British commander, the true state of the case—that the armistice of General Dearborn had been eight days in operation, and that *that* circumstance alone had enabled him to bring such a force against me.

Early in the morning of the 16th of August, General Brock landed his force at the Spring Wells, three miles below Detroit, under cover of the guns of his navy. From the date of the facts contained in the two numbers I have mentioned, I presume you must be satisfied, that his effective force, was more than three times greater than mine, and that he might have brought to his standard, more than ten times my number, before I could have received any assistance. This will appear, from the knowledge of the numbers which originally composed my army, from the losses by capture, by the killed and wounded in the battles which had been fought, by sickness and a variety of other casualties; and likewise from the return of the Adjutant General Major Jessup, and the testimony of Colonel Cass. Being at this time, not only the General of the army, but the Governour of the territory, and without instructions, as to the course I should pursue, all the measures were entrusted to my discretion. Being responsible for the safety of the inhabitants, it became my duty, if it was possible, to adopt such measures as would effect that object. My situation was such, that there was no possibility of affording the inhabitants protection, further than the balls from the cannon in the fort could be carried. These inhabitants were scattered over a territory of several hundred miles. The savages had invaded every part of this territory, and while the contest lasted, there was nothing which could restrain their barbarity. The work of desolation and cruelty had commenced, and nearly half my effective force was absent, and from the time it had marched and the orders it had received from me, I had reason to believe it was nearly fifty

miles distant from me. With the feeble force under my command, I did not believe there was the most distant prospect of success, in the event of a battle; and had the forces at Detroit been defeated, the fate of the detachment under McArthur and Cass would have been inevitable. From the information I had received, with respect to General Brock's force, there could have been little hope indeed of victory. What was, however, decisive on my mind, was my situation, even in a possible event of success over his white force. I should have then been without provisions, as will appear, by the evidence contained in my twentieth number; and I had no means of obtaining possession of the enemy's navy, and opening my communication over the lake. It would in this case have become a war with savages, who would have been aided by all the remaining forces of Upper Canada, and the navy on the lake. In addition to the savage force, which was with General Brock, I have produced evidence to show that several thousands of this description were descending the lakes from the north and from the west. Had my army, however, not been divided, and had the detachment absent with McArthur and Cass, equal to about one half my effective force, been with me, or had I received the least information, that it had been in a situation where, by any possibility, it could have co-operated, I should have risked the consequences of a battle; and those officers would have had an opportunity of proving by their deeds the valour which has been only manifested by their words.

Under the circumstances which existed after the enemy landed, and no information having been obtained from McArthur and Cass, I determined to send a flag of truce, open a treaty, and accept the best terms which could be obtained. For this purpose, I authorized two commissioners, Colonels Miller and Brush, to negotiate on the subject.

By the articles of capitulation, protection and safety were secured to the inhabitants of Michigan in their persons and property. All the militia, both of Michigan and Ohio, returned immediately to their homes, and none were retained as prisoners, excepting the few regulars, consisting then of little over two hundred. This measure, under the circumstances, was dictated in my opinion by a sense of duty and attended with less public calamity then any other which could have been

adopted, and I was willing to assume, and in my official communication to the government, took the whole responsibility of it on myself. It required more firmness and independence than any other act of my life—it was dictated by my best judgment and a conscientious regard to what I believed to be my duty, and I now sincerely rejoice, and there never has been a moment that I have not rejoiced, notwithstanding all I have suffered, that I dared thus independently to do my duty. Had that contest continued, every moment would have been attended with greater disasters, and I availed of the only measure in my power to put an end to such calamities. In the capitulation I made no provision for myself, and was ordered to Montreal an unconditional prisoner. A provision was made for all the officers and soldiers of the militia, and they immediately returned to their homes. Colonel Cass, taking advantage of my situation after the indulgence I had procured for him, proceeded directly to Washington, where he was most graciously received by the administration, and then presented an account of the campaign, before it had been possible for me to have made any communication. This letter, written by himself, giving particular details of events, of which he had no knowledge, as he was absent when they took place, was received by the administration and published as an official account in all the newspapers throughout the United States. Search, fellow citizens, the annals of history, and, I am persuaded, such an outrage cannot be found ! While I was a prisoner, my other officers, for whose liberation I had provided in the treaty, followed Colonel Cass to Washington, and seeing the favours and patronage he had received by his representation, imitated his example, and were not disappointed in their rewards.

From one end of the continent to the other, the same newspapers which had published Cass's letter, were filled with a series of the most scandalous falsehoods to excite your resentment against me, and before I was exchanged, and yet a prisoner, the *plot*, which is unfolded in my 29th number by the letter of the Secretary of War to General Dearborn, was sealed for my final destruction. As soon as General Dearborn could make arrangements for my exchange, I was arrested, capital charges were preferred against me, and a court martial was ordered to assemble at Philadelphia for my trial, of which Major General

Wade Hampton was appointed the President. In conformity to the orders of the President, I appeared, ready for my trial. But without any reason being assigned, this court martial was dissolved in the manner I have stated. I was continued by the administration a prisoner in arrest another year, that ample time might be afforded for selecting such a court martial, and patronizing and promoting officers, who, in their testimony would give opinions which would effect the object of the *plot*, which had been formed. After thus remaining a prisoner for this length of time, which I believe is unexampled in military history, and every preparation being made, I was ordered to appear at Albany for my trial the beginning of January, 1814. At this court martial I requested the privilege of being heard by counsel. The court denied me such aid. In the progress of the trial, the *opinions* of witnesses were admitted as *evidence* to prove entire charges against me. The character of these witnesses has been fully shewn. They were officers of no military knowledge or experience, and many of them deeply interested in the event of the trial, and had nothing to recommend them but the patronage and promotion they had received immediately after my unfortunate campaign, but *previously* to their appearing to testify against me.

The court martial of which General Dearborn was President, was selected the 7th day of November, 1813, during the administration of John Armstrong over the Department of War, and this court was not dissolved until the last of March, or the beginning of April, 1814. Thus was established a new military precedent, and it must be recorded in the history of our country, that the commander-in-chief of the American army, at a most critical period of the war, for about four months, relinquished his high duties as commanding General, and performed subordinate duties on a court martial, to which the youngest General in the army was competent. The question will naturally arise, what motives could have induced so unprecedented an arrangement? A constant correspondence was kept up between the court martial and the secretary of War, and directions were given respecting the manner of proceeding. See Appendix to my trial, page 29. In some of the public newspapers, it is said I am ungrateful for the lenity which Mr. Madison, the President, has shown me. As I never asked him or the court

martial for mercy, but only for justice, I cannot feel under any obligations to either. The truth is, fellow citizens, the administration well know your independent spirit and sense of right, and *dared* not execute that sentence, which injustice had pronounced. The Secretary was the same John Armstrong, who has the reputation of having commenced his career at Newburg, in 1783, and ended it at Bladensburg, in 1814 ! The two events here alluded to, are well known, and must make a part of the history of our country. The one will do the highest credit to the virtue and unshaken patriotism of the revolutionary army, in resisting a most artful and insidious attempt to induce them to turn those arms against their country which had been employed in acquiring its independence. The other must stand as a monument of disgrace to those to whom the protection of the country was entrusted, and particularly to the officer at the head of the Department of War, at whose disposal was placed the forces and means of national safety.

After I received the order to invade the enemy's territory, all the operations were entrusted to my discretion. This discretion was exercised according to my best judgment. The dictates of duty alone influenced my conduct. Had I consulted my feelings alone, and not been guided by this principle, I should have pursued a very different course. To perform what I then believed and now believe to have been my duty, it was necessary to call into exercise more firmness and more energy, than on any other occasion during my life. If it will be any satisfaction to my enemies, I am now willing to acknowledge, that I dare not do that which my best judgment and duty forbid. Considerations of personal fame, compared to duty, where as a feather in one scale to a mountain in the other.

My respect, fellow citizens, for your discernment and judgment, induces me to leave the application of the facts and evidence, contained in the preceding numbers, to your own deliberations ; with my sincere thanks for the candour which has been already manifested,

I am,

With affection and respect,

Your fellow citizen,

Newton, July 26th, 1824. WILLIAM HULL.

No. XXXIII.

A series of papers published in the "American Statesman," by the son of General Dearborn, in defence of his father, in answer to the memoirs I have addressed to you on the subject of the north western campaign, in 1812, renders it a duty which I owe to myself, to you and to truth, to make a reply. Filial affection is justly ranked among the amiable virtues, and whenever it is properly manifested, excites both esteem and admiration. Under feelings properly tempered, the son, would have reason to expect your sympathies, which would not only have been enlisted, but deeply interested in favour of the attempt. Had cool, dispassionate reason been substituted in the place of violent declamation, and candid inquiry after truth been evinced, instead of a spirit of abuse and malignity, he probably would have realised the feelings I have described.

It is among the other misfortunes of my life, that I have now no son on whom to rest for support in my declining years. In the memorable battle of Bridgewater, in 1814, my only son, in his ardour to perform his duty, advanced at the head of is company to the most dangerous part of the sanguinary field, where he fell, covered with wounds and surrounded by the principal part of his brave men, bleeding by his side. Alone and unassisted by any thing but truth, and the candour and patience you have manifested to obtain it, I am prepared to meet both father and son, before the tribunal of my fellow citizens to which I have made my appeal. The day may arrive, when this ardent young man will deeply regret the wanton and abusive language with which he has assailed me, and for the present, I am willing to forgive him on account of his laudable effort to discharge a filial duty.

My reply will be confined principally to the plan of the campaign, as stated in young General Dearborn's defence of his father—The orders which General Dearborn received, and his duty to have co-operated with my army—The armistice to which he agreed with Sir George Prevost and General Brock's letter to General Van Rensalaer respecting it—The forces under my command and those under the command of General Brock—

The testimony of Colonel Snelling and others, and my letters to the Secretary of War. It appears from this defence, that before General Dearborn left Washington in the spring of 1812, a plan of the anticipated campaign against the Canadas, was submitted to the Secretary of War by him, in which he recommended, that one army should advance upon Montreal, by the way of lake Champlain, while three others should enter upon Canada from Sackett's Harbour, Niagara and Detroit—Here fellow citizens, you have for your own information, and for the use of the future historian, the plan of the campaign of 1812. Although I was appointed to the command of one of the three armies, yet this plan was never communicated to me by the administration or by General Dearborn, and I received no knowledge of it, until I read the President's message to Congress, after the campaign ended, in which it was partially stated, and when it was afterwards more fully unfolded by the publication, in defence of General Dearborn. The plan of the campaign, being formed by General Dearborn, he must have had a perfect knowledge of it, and he being the commanding General of our armies, it became his duty to make arrangements for its execution, especially as the troops designed for the formation of two of the armies, one at Niagara and the other at Sackett's Harbour were under his controul and subject to his command. This would have been his duty, even without special orders on the subject. Notwithstanding this, young General Dearborn states that his father made no arrangements to form these two divisions of the army at Niagara and Sackett's Harbour, until the 26th July, and assigns this reason,—that he had not received orders for the purpose. I believe you will be satisfied, as he formed the plan of this campaign—was the commanding General, and the troops which were to compose these divisions were subject to his controul and indeed under his command, that it would have been his duty to have given orders for the execution of the plan he had designed. Individuals without military knowledge and experience, from common observation, I think must accord with the opinion I have expressed. Among military men, I am confident there can be but one opinion on this subject. Whatever opinion may have been formed, I shall now show that he had orders from the war department on this subject as early as the 26th June, eight days after war was de-

clared, and while my army was labouring in the wilderness and had received no intelligence of its declaration. The following is a letter from the Secretary of War to General Dearborn, dated

War Department, 26th June, 1812.

SIR,—Having made the necessary arrangements for the defence of the sea-board, it is the wish of the President, that you should repair to Albany and prepare the force to be collected at that place, for actual service. It is understood, that being possessed of a full view of the intentions of government, and being also acquainted with the disposition of the force under your command, you will take your own time and give the necessary orders to the officers on the sea-coast.

It is altogether uncertain at what time General Hull may deem it expedient to commence offensive operations. The preparations. it is presumed will be made, to move in a direction for Niagara, Kingston, and Montreal. On your arrival at Albany, you will be able to form an opinion of the time required to prepare the troops for action.

Maj. Gen. H. DEARBORN.

By this letter, General Dearborn was directed to repair to Albany, and prepare the force to be collected at that place for *actual service.* What was the *actual service* for which the force was to be prepared? War against Great Britain had been declared. The commanding General of our armies had formed a plan of the campaign which had been approved by the administration. This plan was, that besides my army, three others were to be formed to move against the British posts on the Niagara, against Kingston and Montreal—and by this letter the General was ordered to Albany, to prepare the force for *actual service.* Is it possible that General Dearborn could have misunderstood this language? Could this *actual service* have been any other service than the execution of the plan which the General himself had planned? It requires nothing more than common understanding to answer this question. The order must have been as plain to him, as if an order to this effect had been given—"You are commanded to order a sufficient force to the Niagara and invade that part of Upper Canada as soon as General Hull commences offensive operations from Detroit. You

are likewise commanded to order another force to Sackett's Harbour to keep in check the troops at Kingston and prevent them from re-enforcing the posts on the Niagara." The next sentence of this letter of the 26th June, seems to remove all doubt with respect to the construction of it.

General Dearborn is told that he is possessed of a *full view* of the intentions of the government, and also *that he is acquainted with the disposition of the force under his command.* The time and manner of executing this part of his duty is then left to his discretion. Had there been a possibility, of doubt with respect to its true meaning and intention, the concluding paragraph rendered it as plain, as though it had been in the words I have substituted above. The Secretary tells him that it is uncertain at what time General Hull may deem it expedient to commence offensive operations.—He then says, that General Dearborn's preparations will be made to move in a direction for Niagara, Kingston, and Montreal. Does not this clearly and distinctly express to him *the intention* of the government, to form two of the divisions of the forces under his command, one for the Niagara and the other for Sackett's Harbour, to move against Kingston, agreeably to his own plan of the campaign? The words of the letter are, "The preparations it is presumed will be made to move in a direction for Niagara, Kingston, and Montreal."

Thus you see, fellow citizens, that General Dearborn was ordered by the Secretary of War, to make preparations to move in a direction for Niagara and Kingston as early as the 26th of June. I now ask you what authority his son had to say, that his father had no orders with respect to the troops at Niagara, for the purpose of co-operating with me, or to move in a direction for Kingston and Montreal until the 26th July, a month afterwards. Young General Dearborn then recites his father's letters, written from Albany, to show the manner in which he obeyed his orders.

One to General Van Rensselaer, dated 3d of August, 1812, directing him to keep up a correspondence with me.

One to Governour Tompkins, dated 6th August—requesting him to order into service two thousand six hundred of the detached militia of the State:—one thousand to join the troops at Niagara:—eight hundred to join those at Sackett's Harbour,

&c.—one of the 8th of August to Major Mullany, directing his to march to Niagara with recruits under his command. One to Colonel Fenwick, of the 8th of August, directing him to proceed to Niagara with two companies of infantry and there take the command of the artillery, &c.

One to Colonel Macomb to prepare cannon, &c. for Colonel Fenwick, &c.

One to the Governour of Pennsylvania, dated August 13th, requesting him to order two thousand militia to be marched to Niagara.

Thus, fellow citizens, you are furnished by the son of General Dearborn with documents, to show the manner in which his father obeyed his orders and fulfilled the expectations of government. I have only, you perceive, referred to the documents. They are published *in extenso*, in the defence prepared by the son, and which may be seen in the "American Statesman" 29th July, 1824. By these documents it appears, that General Dearborn did not commence giving orders and making arrangements for forming an army at Niagara, until the 3d of August. His orders were continued on the 6th, 8th, and 13th of the same month, and the principal force was ordered on the 6th, 8th, and 13th. I now ask you to examine the letter of the Secretary of War of the 26th of June. above recited, and compare it with the documents as furnished by the son of General Dearborn, and you will perceive, that it was nearly forty days from the date of that letter before he even gave orders for the preparations at Niagara, to invade Upper Canada and co-operate with me, and a month after I had crossed the Detroit river and commenced offensive operations. In my memoirs you will find recited a number of other letters of the Secretary of War to General Dearborn from the 26th of June to the time he made the armistice, directing him to attack the enemy's posts, co-operate with my army in the invasion of Upper Canada, and only make a feint against Montreal.

When, fellow citizens, you consider that this plan of the campaign of invading Upper Canada from Detroit, Niagara, and Sackett's Harbour, was made by General Dearborn himself and approved by the administration.—That as early as the 26th of June, only eight days after the declaration of war, the Secretary of War wrote to General Dearborn, that he should prepare the

force for actual service, and stated that it was understood, *that he was possessed of a full view of the intentions of government, and acquainted with the disposition of the force under his command;* and when he perfectly well knew that I was on my march to Detroit, and was to commence offensive operations as soon as possible after my arrival, and that his preparations would be made to move in a direction for Niagara, Kingston, &c. I again ask you, whether his remaining idle and inactive, and not even having given any orders for making preparations at Niagara, &c. for so long a time, was not a disobedience of both the letter and spirit of the orders which were given on the 26th June, and from that time continued, until he agreed to the armistice, by which he disqualified himself from making use of the forces in making diversions in the enemy's country, attacking their posts, or co-operating with me in any manner whatever.

From General Dearborn's conference with Governour Tompkins, and from his letter to the Governour of Pennsylvania, published by his son, it appears that he was authorized by the President, to call for as many militia as he deemed necessary, to form the armies at Niagara and Sackett's Harbour, for the invasion of Upper Canada; and it is well known, being the commanding General, all the regular troops in the northern part of the United States were at his disposal, and subject to his command.

In cases where General Dearborn's orders were discretionary, he would be governed by his own judgment, and was only responsible for the manner in which it was exercised. Admitting he had been vested with discretionary powers *altogether*, I believe you must be satisfied, that under the circumstances which existed, nothing could have justified his delay and neglect in giving orders for the execution for the plan of the campaign which had been planned by himself. But this was not the case; and ample proof has been exhibited, both in my memoirs, and in this reply, that as early as the 26th of June, and at different times, to the period when he agreed to act only on the defensive, he was ordered to prepare an army at Niagara to co-operate with me, as also at the other posts for the conquest of Upper Canada.

I think with propriety, fellow citizens, I may now ask you, who has made the *rash and unfounded* declarations which this son of General Dearborn has with so much malignity imputed to me? All his sensibilities appear to have been excited, and all the powers of his mind called into exercise with a desire to make you believe that his father had no connexion with the two armies, which by his own plan were to be formed, to co-operate with mine in the invasion of Upper Canada, until the 26th of July. The investigation I am now considering, is highly important, both as it respects myself and General Dearborn. If it can be shewn that neither from his rank nor the instructions he received, it became his duty to have given orders for the formation of the two armies which were to co-operate with mine and for the invasion of Upper Canada below, until the 26th July, and that after that period he made use of all the means with which the administration had furnished him, in making the necessary preparations, I will very cheerfully say, I have accused him wrongfully, and will make any acknowledgments which the prepriety of the case and justice to him may require. At present, however, I am satisfied that I have not, and I continue the same accusation against him, that it was his duty, under his commission and the orders of the 26th of June, to have made those preparations, which it fully appears he neglected to do.—Again, fellow citizens, I ask you attentively to read this letter of the 26th June and compare it at the same time with the plan of the campaign which has been published by the son of General Dearborn and of which his father had a most perfect knowledge, as he formed it himself. When you have done this, I shall be satisfied with the result of your inquiry.

There is another point of view, in which justice seems to require, that this subject should be considered. I will here state some principles and facts, in which there will be no disagreement. Those entrusted with the government of a nation never ought to *declare* war, until suitable preparations are made. Although in time of peace, a nation ought to be prepared, at least for defensive war, yet whether prepared or not, when war is declared against it, the event must be met. For the *declaration of war* however, without suitable preparation, there can be no excuse. If General Dearborn can show that the war of 1812 against Great Britain, was declared without suitable prepara-

tion, or that for want of orders, it was not his duty to make the preparations for co-operation in Upper Canada, or for the want of means, it was not in his power to make such preparations, in either of those cases, the blame must rest on the administration. This must be obvious, because it was the duty of the administration, who had recommended the declaration of war and had adopted a plan of operations, to have given timely orders and to have furnished the necessary means for making such preparations. Certainly the fault could not have rested on me, because, by the plan of the campaign, formed as has before been described, three armies were to be provided for the invasion of Upper Canada and none but mine was ever brought into operation. If my army were sufficient for this object, it was certainly a great fault in the administration, to order three armies, when three times the expense would be incurred. My object is to show, that the disasters of the campaign ought not to be attributed to me. No one will believe it was in my power to conquer, with one army, a country for which the administration had assigned three. It was then either the fault of the administration or of General Dearborn. Believing I shall satisfy you that I faithfully did *my* duty, it is not material to me, whether the fault rests on General Dearborn or on the administration.

Had this defence of young General Dearborn rested on the ground, that war was declared without suitable preparation—or on the neglect of the administration, in not communicating timely instructions to his father, or had it been shewn that necessary means were not furnished, it is possible the effort which has been made to shield General Dearborn, would have been crowned with more success. With a chivalrous spirit the young General has adventured into the field and has not only become the advocate of his father but of the administration. It is well known, fellow citizens, that the author of this defence received and has enjoyed for more than twelve years, one of the most lucrative offices in its gift, the salary and emoluments from which during that time, cannot have been much less than one hundred thousand dollars. A desire to retain so valuable an office, or if he pleases, gratitude to his benefactors, must have produced a severe and conflicting struggle, with the discharge of filial duty. As a large portion of this defence con-

sists of a republication of my trial, and as he has studiously introduced the names of the members of the court martial, it must be evident that he does not consider that you have any right to examine for yourselves the proceedings of that trial, but that the sentence of the court martial ought to be considered as final. Had this not been the case, his defence would have been addressed to the same tribunal to which I appealed. The difficulty was, he well knew, that you would not be willing to appoint General Dearborn, President of that tribunal, on which you are to sit in judgment. He was doubtless also influenced by similar motives to those expressed in the letter of the Secretary of War to his father, which is recited in the 29th number of my memoirs, where, in his very emphatic language he says, that "so long as you (that is General Dearborn) enjoy the confidence of the government, the clamours of the discontented should not be regarded."

In my next number I shall reply to young General Dearborn, on the subject of the armistice.

No. XXXIV,

It is stated in the defence of General Dearborn, that no troops or military supplies were sent to the relief of Fort Malden, during the temporary armistice—That General Brock had no knowledge of it, until he returned to Fort George, and that so far from neglecting the situation of General Hull, every precaution was taken by General Dearborn, to render the arrangement, not only not injurious, but advantageous to him. It is very desirable to present to you, a certified copy of the Armistice, entered into on the 8th of August by General Dearborn on one part, and by Sir George Prevost on the other. The son of General Dearborn says, it was entered into on the 9th of August—but I find he has published a letter from General Van Rensselaer to General Dearborn, in which he acknowledges the receipt of General Dearborn's letter of the 8th of August, enclosing the very agreement for an armistice. The letter re-

ferred to, is published by young General Dearborn in the "American Statesman" of the 29th of July, 1824. This proves that it was made at least as early as the 8th of August. I really hoped he would have published a copy of it, in his defence of his father. I have applied to the offices of the Secretary of War, and likewise of State, and the original cannot be found on record or on file in either of those offices. I likewise applied to Governor Eustis, who was Secretary of War at that time, who declared that it was received at the War Office and placed on the file or recorded. Who has taken it from the office, I know not. The son of General Dearborn has however published two letters explanatory of it, one to the Secretary of War and one to me, for which I ought to express my obligations to him, as the information they contain, will be highly useful in the investigation of the subject. When I wrote my memoirs, I only had the explanation of it, as contained in a letter of the Secretary of War to me, and likewise in another letter from the Secretary to General Dearborn. I will now copy both of the letters which the son has been so kind as to furnish, and I should have been under greater obligations, if he had furnished an authenticated copy of the original instrument itself. Were we possessed of it, the true interest and meaning of the armistice might be better understood. The letters referred to are as follow.

Letter from General Dearborn to the Secretary of War, informing him of the temporary armistice.

"*Head Quarters, Greenbush, Aug. 9th*, 1812.

SIR,—Colonel Baynes, Adjutant General of the British army in Canada, has this day arrived at this place, in the character of a Flag of Truce, with despatches from the British government, through Mr. Foster,* which I have enclosed to the Secretary. Colonel Baynes was likewise the bearer of despatches from Sir George Prevost, which is herewith enclosed. Although I do not consider myself authorized to agree to a cessation of arms, I concluded that I might with perfect safety, agree that our troops should act merely on the defensive, until I could receive directions from my government; but as I could not in-

*Late Minister of Great Britain, then at Halifax.

clude General Hull in such an arrangement, he having received his orders directly from the department of war, I agreed to write to him, and state the proposition made to me, and have proposed, his confining himself to defensive measures, if his orders, and the circumstances of affairs with him, would justify it. Colonel Baynes has written similar orders to the British officers in Upper Canada, and I have forwarded them, to our commanders of posts, to be by them transmitted to the British commanders.

I consider the agreement as favourable at this period, for we could not act offensively, except at Detroit, for some time, and there it will not probably have any effect on General Hull or his movements, and we shall not be prepared to act offensively in this quarter, before you will have time to give me orders for continuing on the defensive or act otherwise.

We shall lose no time, or advantage, by the agreement, but rather gain time without any risk. It is mutually understood, that all preparatory measures may proceed, and that no obstructions are to be attempted, on either side, to the passage of stores, to the frontier posts; but if General Hull should not think it advisable to confine himself to mere defensive operations, the passage of military stores to Detroit, will not be considered as embraced in the agreement last noticed.

Col. Baynes informs me, that a party of British troops and Indians, had taken possession of Michilimackanack, and that our garrison were prisoners. I made no particular inquiry as to the circumstances, as I entertain some doubts as to the fact. I have no expectation that the government will consent to a cessation of hostilities, on the strength of the communication forwarded by Mr. Foster; but all circumstances considered, it may be well to avail ourselves of the occasion, until we are better prepared for acting with effect; at all events, we can lose nothing by the arrangement, I have consented to, it being explicitly understood, that my government will not be under any obligation to agree to it, unless the despatches from the British government should be such, as to induce the President to propose an armistice, as preparatory for negotiations for peace. I informed Colonel Baynes, that our government would readily meet any such overture from Great Britain, as clearly indicated a disposition for making peace on satisfactory terms; but af-

ter what had occurred, in relation to the adjustment with Mr. Erskine, it could not be expected that any other than the most explicit and authentic directions to their agent in this country, would produce any change in our measures. It is evident that a war with the United States is very unpopular in Canada.—Colonel Baynes arrived at our frontier post, at Plattsburg, and was conducted to this place by Major Clark, an officer in the detached militia of this State, he returned this day with the same officer.

I am, Sir, &c.

H. DEARBORN."

Letter from General Dearborn to General Hull, announcing the temporary armistice.

"*Head Quarters, Greenbush, Aug. 9th*, 1812.

SIR,—Having received from Sir George Prevost, Governour General, and commander of the British forces in Upper and Lower Canada, despatches from the British government, said to be of a conciliatory nature, which I have forwarded to Washington, and a letter from Sir George Prevost to me, by his Adjutant General, Colonel Baynes, proposing a cessation of hostilities on the frontiers; I have so far agreed to his proposals as to consent that no offensive operations shall be attempted on our part, until I have received further instructions from our government; but as you received your orders directly from the department of war, I could not agree to extend the principle to your command, but I agreed to write to you, and state the general facts; and propose to you, a concurrence in the measures, if your orders and situation would admit of it; of course you will act in conformity with what has been agreed upon, in respect to the other posts on the frontiers, if not incompatable with your orders, or the arrangements made under them, or the circumstances under which this letter reaches you. Any preparations for offensive operations may be continued, and when it is agreed to suspend any offensive operations no obstacles are to be opposed to the transportation of military stores. In all cases where offensive operations cease, by virtue of the aforementioned agreement, four entire days are to be allowed, after either party shall revoke their orders, before any offensive operations shall commence. A letter from Colonel Baynes, to the

commanding officer at Amherstburg, has been forwarded by me to the commanding officer at Niagara, to be by him transmitted to Detroit. The removal of any troops from Niagara to Detroit, while the present agreement continues, would be improper, and incompatible with the true interest of the agreement. I have made no arrangement that should have any effect upon your command contrary to your own judgment.

I am, &c.

H. DEARBORN."

The publication of the letter above recited addressed to me, is the first knowledge I ever had of it. It never was received by me.—Without any other feeling than a desire for truth, I will examine these letters with all due caution, and give them no other construction, than such as is obviously to be inferred from the language with which they are clothed. Here is presented by the son of General Dearborn, his father's own letters, explanatory of his temporary armistice, as it is called by him. He does not present the agreement itself, for reasons which I shall not pretend to conjecture. If it were as favourable to his father, as the explanation given of it in these letters, I am sure you will believe it would not have been withheld. I will now consider, what it appears to have been by these letters. Colonel Baynes, the Adjutant General of the British army, came to General Dearborn's head quarters, with a proposition from Sir George Prevost. The General says, in his letter to the Secretary of War, "although I do not consider myself authorized to agree to a cessation of arms, I concluded I might with perfect safety agree, that our troops should act merely on the defensive."—These are the very words he makes use of. There is not one word in his letter to the government, by which it can even be inferred, that there was any agreement on the part of the British Adjutant General, that the British troops opposite to ours, should likewise act only on the defensive. General Brock, with all the forces of Upper Canada, was left at perfect liberty to march offensively against the forces I commanded. General Dearborn agreed to write to me, that I might act on the defensive only, if I thought proper. And it seems to have been virtually understood, that the British commander, General Brock, might also act only on the defensive, if he thought proper. These discre-

tionary powers appear to have been vested both in General Brock and myself without any special authority, either from the British Adjutant General or from General Dearborn. Thus it seems, by General Dearborn's own letters, that General Brock was at liberty to march all the forces of Upper Canada, and invade our country, by his attack on me, while General Dearborn became pledged, by his armistice, to confine himself to his post, where he was then situated, and could not cross the Niagara river, to take possession of fort Erie or fort George, although they were left in a perfectly defenceless condition, without violating his own agreement. It must be seen, that so long as we are deprived of the original agreement for this temporary armistice, that I have no other mode of explaining it, than by the information which General Dearborn has given in his letters explanatory of it. If it contains any thing more or any thing different from what has been or may be explained, let a copy of the original instrument be produced. General Dearborn in his letter to the Secretary of War, says, "that he did not consider himself authorized to agree to a cessation of hostilities," and in another part of his letter he says, "that he has no expectation that his government will consent to a cessation of hostilities on the strength of the communications which he had forwarded to the Secretary of State on the subject." But nevertheless, *he* agreed to act only on the defensive.

As it does not appear by the above letters, to have been stipulated, that the British were to act only on the defensive, I ask whether such a construction can be inferred from the terms contained in those letters? According to the common meaning and acceptation of language, it cannot. It is proper to construe this instrument, as it actually was, and not as it ought to have been.

In the letter which he says he wrote to me, he gives the same account, *that he had agreed to act only on the defensive*, which is contained in the one to the Secretary of War. He further says in his letter to me, that "the removal of any troops from Niagara to Detroit while the agreement continued, would be improper and incompatible with the true intent of the agreement." This is his own construction, but there is nothing contained in the letters referred to, as far as I can comprehend them, which will justify such a construction. It is certain, Sir

George Prevost did not put this construction to the agreement, for it appears by General Dearborn's letter to General Van Rensselaer, dated twelve days after it was made, and while it was in full force, that he refers to detachments which had been sent from Niagara to Detroit, and General Van Rensselaer was ordered to prepare, to take advantage of their reduced force, as soon as there should be orders to act offensively. And no evidence has been offered, to show, that this removal of the troops from Niagara to Detroit, was ever complained of by General Dearborn, as a violation of the armistice.

This then was the temporary armistice, which General Dearborn agreed to, as appears by his own letters, and although not authorized to agree to an armistice, and having stated to the Secretary of War, that "he had no expectation that the government would consent to a cessation of hostilities, on the strength of the communication forwarded by Mr. Foster," yet he did agree that his troops should act only on the defensive, regardless of my situation, and leaving me to be exposed to the united forces from Niagara and at Malden.

Was it possible for him to have made an arrangement more fatal to me? How long did this temporary armistice continue? —A letter from General Van Rensselaer, dated at Lewistown, to General Dearborn, acknowledges the receipt of General Dearborn's letter of the 8th of August, enclosing the armistice, so that it must have been as early as the 8th of August. This letter is published by the son of General Dearborn. By a letter which he has also published in the same paper, from General Brock to General Van Rensselaer, dated the 25th August, 1812, —General Van Rensselaer is informed, that General Brock dispatched an express to Amherstburg, the day before, giving information of the armistice. By this letter it appears, that the armistice must have been in operation, at least from the 8th to the 25th of August, when if we suppose the armistice to have ended, which was not the case, however, and four days being allowed thereafter, for notice to have been given of its termination, the period of its operation would then have amounted to twenty-one days. During all this period, General Brock had it in his power, with all his forces of every description, to come against me, while the whole American forces on the Niagara

river, were confined to our territory, under the armistice of their commanding General.

In answer to young Gen. Dearborn's round assertion, that at this time, no troops left Niagra for Malden, I will recite the letter of his Father to Gen. Van Rensselaer, dated the 20th of August. It is in these words—"as it is believed a detachment has been made from the British force at Niagra, to re-enforce the garrison at Malden, it will be necessary to be as well prepared as possible, to take advantage of the reduced force in your front, as soon as there shall be orders to act offensively."—In his letter likewise to the Secretary of War of the 7th of August, General Dearborn states the movement of the British troops from Niagara to Detroit. This was one day only, before he agreed to the armistice, in anticipation of which, there can be no doubt, this detachment of the British, took advantage of the contemplated temporary cessation of hostilities. This testimony the young General Dearborn has furnished, as will be found, by reference to the defence of his father and expressed, in a letter of which the following is a copy, of so much as relates to that part of the subject.

Letter to the Secretary of War.

"*Head Quarters, Greenbush, August 7*, 1812.

SIR,—I have been honoured with your letters of the 26th, 27th and 29th ult. and of 1st and 5th inst. I have been making arrangements with Governour Tompkins for having re-enforcements sent to Niagara, Ogdensburg and Plattsburg. I trust they will be moved soon; but too late, I fear, to make the diversion in favour of General Hull, which is so desirable.

"I have ordered Lieutenant Colonel Fenwick, with two companies of Simond's regiment, two 18, and two 12 pounders, to move up the Mohawk to Utica, where the roads part, which lead to Niagara and Sackett's Harbour.

"I shall order a detachment of light artillery, and the infantry, with the heavy pieces, a quantity of ammunition, intrenching tools, and other articles, to proceed to Niagara.—The whole, except the light artillery, will go by water from fort Schuyler. I wrote to the commanding officers at Niagara and Sackett's Harbour, confidentially, to let it be known they had received

intelligence, that large re-enforcements of regulars and militia were on their march to join them : I enclosed a letter to each of them to that effect. It is said, that a detachment has been sent from Nigara. by land, to Detroit; if so, I should presume, before they can march two hundred and fifty miles, General Hull will receive notice of their approach, and in season to cut them off before they reach fort Malden."

Here then we have the testimony of General Dearborn himself, that on the 7th of August, a detachment of British troops had marched from Niagara to re-enforce the troops at Malden ; and on the 20th of August, General Van Rensselaer was informed, that a detachment had marched from the same place.* Either then there were two detachments of the British which moved forward to Detroit, as referred to by General Dearborn on the 7th August to the Secretary of War, and afterwards on the 20th of the same month in his letter to General Van Rensselaer, a more minute account of which, giving the amount of the force of one detachment, is given by the above letter of Colonel Cass, or General Dearborn was criminally negligent, in suffering thirteen days to elapse, between the 7th and 20th August, before he communicated to General Van Rensselaer, information of so much importance. The young General may have his choice of the alternatives, in making out the defence of his father.

There is another consideration which must be irresistible on this subject. Sir George Prevost was the commanding General of both the Canadas. General Brock was acting governour, and commanded the troops in Upper Canada, and was under the command of Sir George Prevost. At this time I had invaded Upper Canada from Detroit. No invasion was made from any other quarter. It was of great importance, to re-enforce the

* In addition to the letters of General Dearborn which have been cited, it further appears by Colonel Cass' letter to the government, dated 10th September, 1812, which has been published in General Dearborn's defence, that the enemy at Malden, about the 10th August, after the armistice was entered into, received a re-enforcement from the same place. His words are "about the 10th August, the enemy received a re-enforcement of about four hundred men."

It appears evident, from this statement of Colonel Cass, that the force of four hundred men, which arrived on the 10th August, must have been an extra force, besides that of General Brock, which did not reach Malden, until the 14th of the same month.

troops at Malden, to repel this invasion. Troops could not be removed with safety to the British posts below, while our troops at Niagara, had a right to act offensively.

I now ask you, whether you do not believe that this plan was concerted by Sir George Prevost, solely for the purpose of enabling General Brock to carry his troops to re-enforce the troops at Malden? And whether you do not believe, as soon as the plan was conceived and Sir George Prevost had determined to send his proposals to General Dearborn, that he immediately gave General Brock information, that a suspension of hostilities would probably take place at Niagara, and that he might with safety to those posts, march his troops to Malden, which it appears by the two letters above recited to the Secretary of War and to General Van Rensselaer, he actually did.

The facts thus proved by the letters of General Dearborn to the Secretary of War and to General Van Rensselaer, shewing that a detachment had moved from Niagara for Malden, and the commentaries which have been and will now be made on them, will give a satisfactory explanation of the letter of General Brock, which has been published by young General Dearborn. General Brock had carried his re-enforcements to Malden, and during the existence of the armistice, was engaged in offensive operations. When he wrote his letter of the 25th August to General Van Rensselaer, disavowing any knowledge of the armistice, at the time of his attack on Detroit he had then returned with his re-enforcements to fort George. It is true, the despatches from the British Adjutant General, communicating *official intelligence* of the armistice, and which General Dearborn had undertaken to transmit to the British commanding officer at Niagara and to myself *may* not have been received by General Brock, as he states, previously to the 25th of August. But I would ask how it happens that this official intelligence of the armistice was not received by General Brock, before the 25th August, seventeen days after it was agreed upon? And what became of the despatches, which it is stated General Dearborn had transmitted to me, and which I declare I had never received.

In a letter from General Dearborn to the Secretary of War of the 7th of August, he says, "I have been making arrangements with Governour Tompkins for having re-enforcements

sent to Niagara, Ogdensburg, and Plattsburg, I trust they will move soon, but too late, I fear, to make the diversions in favour of General Hull which is so desirable." In the same letter of the 7th of August, he informs the Secretary "that a detachment had been sent from Niagara to Detroit." What were the circumstances which induced General Dearborn to express to the Secretary of War his *fears* that the re-enforcements he had ordered from the State of New York would be too late to make diversions in favour of General Hull? Although he says these re-enforcements would move soon, yet he says he fears they would be too late. Does he not himself in this very letter give the reason why it would be too late for these re-enforcements to co-operate with me? viz. "that a detachment of the British had been sent from Niagara to Detroit." With the knowledge before him of the movement of this detachment, I think I may then ask, what possible reason could have induced him on the very next day to have paralyzed his own troops on the Niagara, by pledging himself that they should act only on the defensive? As soon as this temporary armistice was made, on the 8th August, the British Adjutant General delivered a copy of it to General Dearborn enclosed in a letter to General Brock or the commanding officer at fort George, to be transmitted by him, as *he* had undertaken to have it sent. Permit me again to ask, what could have induced him to have adopted a measure, which he himself says he was not authorized to agree to, and which he believed the government would not approve? If he should say his object was my relief, I must request you, fellow citizens, now to consider the measures he adopted to afford that relief. All the letters containing this important information, were entrusted to General Dearborn to be communicated. He was the commanding General of our armies and must have known how materially this important measure would effect my army, and having entered into it himself, it evidently became his duty to have taken the most effectual means regardless of every expense, to have made this communication to me with the greatest possible expedition.

The distance from Albany to the Niagara river, is about three hundred miles and thence to Detroit about two hundred and fifty miles more. It appears then that I was about five hundred and fifty miles from Albany, where General Dearborn

was situated at the date of the armistice, and that General Brock was on his way to Malden. Intelligence of this armistice might have reached me in five days after it was agreed upon, by an express, travelling less than five miles an hour. Had this been done, I should have received the armistice three days before the 16th August, the day that General Brock invaded our territory. By the measures adopted by General Dearborn to have these important despatches conveyed, it will be seen by reference to General Van Rensselaer's letter to General Dearborn, as before recited, that he did not receive them until the 17th of August being nine days in travelling three hundred miles, and by General Brock's letter to General Van Rensselaer, it appears *he* did not receive them until his return to fort George, after the capitulation at Detroit, and as I have before stated, the despatches sent to me, I have never received. Had proper and efficient measures been adopted by General Dearborn, to forward the despatches with such expedition as they might have been sent, according to his own construction of the terms of that agreement, General Brock would then have received the *official account* in due time to have prevented his invading our territory in his attack on me, and I should have had it in my power to have exercised my discretion in agreeing likewise to the armistice or to have acted otherwise, as circumstances might have warranted. General Brock having made the invasion of our country in his attack on me, during the operation of the armistice, he felt the necessity in justification of himself, of writing the letter referred to, addressed to General Van Rensselaer, protesting against any knowledge *(meaning official knowledge)* of the existence of such armistice at that time. It is well known that the Adjutant General is the direct organ of communication, through whom orders are made known to an army, and if by other means, a subordinate officer has received intelligence of such orders unless communicated in an official verbal or written form, from the commanding officer, he is not bound and indeed he dare not obey them. The armistice having been made nearly three weeks before General Brock had returned from Malden to his post on the Niagara, I ask you whether it is probable that it was such a profound secret in Upper Canada, that General Brock should have received no *indirect* information of it, when he was in a situation where it might

have been communicated to him in three or four days at most. Truth is frequently more clearly elicited from circumstances, than from any other kind of testimony. Records are liable to be mutilated; the memory of man is not always correct and retentive; interest, passion, and prejudice frequently have a powerful operation on the mind. In the case under review, the circumstances which existed speak in terms most convincing and irresistible.

It is necessary to take a view of the situation of both armies, and their relation to each other, with the objects of both parties in the war, to form a proper estimate on the subject. The army I commanded, made the invasion from the Detroit river. I had no co-operation. This was owing to the neglect of General Dearborn in the first instance and to his temporary armistice in the second. This armistice was proposed by Sir George Prevost at a time when his provinces were invaded from no other quarter but Detroit. I ask you, then, for what purpose this proposal was made? To your consideration and judgment I cheerfully submit the two following inquiries. First, whether the sole object was not to enable General Brock to march with the troops from the east part of the province to re-enforce the troops at Malden, to repel the invasion I had made? Second, whether from the evidence and circumstances which have been related you are not perfectly satisfied that General Brock had information of the temporary armistice before he returned from Malden, three weeks after it had been made—a sufficient time for the information to have arrived, had it been sent from England? In support of this evidence and of these circumstances, I do now in the most solemn manner declare, as I before stated, that immediately after the capitulation on the 16th August, General Brock informed me that the orders in Council had been repealed, and General Dearborn had agreed to an armistice at Niagara and the other posts where he commanded, and he hoped and expected it would be the foundation of peace between the two countries; or words to that effect. You all well know fellow citizens, with what despatch expresses are sent almost every day through the country for the benefit of commercial speculation, and that the distance of five or six hundred miles is frequently travelled over in about three days. With the knowledge of such facts which the experience of all of you confirm,

can it be considered unreasonable in me to suppose that equal vigilance would have been observed on this occasion, as is practised in a private commercial speculation? On a great national occasion, when the fate of an army and a large section of country is exposed, was it not the duty of the commanding General, to whom was confided your safety and the protection of your property, to have made as great exertions for their preservation, as are every day made by individuals, where nothing is at stake, but pecuniary private interest? But it is further in evidence, fellow citizens, that General Dearborn's *expresses* did not travel with but little more than one third the speed with ordinary expresses; as General Van Rensselaer on the 17th of August, nine days after the armistice was agreed upon, which was on the 8th of August, and only three hundred miles from Albany, acknowledges then to have just received General Dearborn's letter, communicating the intelligence of it. So that you perceive this *express* travelled at the astonishing rate of not quite a *mile and an half* an hour. With such evidences of the vigilance and exertions of General Dearborn in carrying into execution the plan of a campaign which he himself had formed and making preparations for conducting an *offensive war, declared* by an administration from which *he* received his commissions, I will leave you to make your own comments.

No. XXXV.

The temporary armistice made with Sir George Prevost by General Dearborn, had so fatal an effect on the division of the army I commanded, and was so essentially the cause of the misfortunes of the campaign, that I must beg your further attention to that subject. The fact is, that as early as the 3d and 7th of August, General Dearborn well knew my critical situation, and how much I stood in need of co-operation and assistance. In the letter of the 3d to General Van Rensselaer, he says, "you will please to take measures for keeping up a correspondence with General Hull, and ascertain his movements by expresses or otherwise; and as he has crossed over

into Upper Canada, and taken possession of Malden, it will be expedient to make every exertion in your power to co-operate with him; and if your force will not admit of any strong offensive operations, it may be well to make such diversions in his favour as circumstances will permit, so as to prevent the enemy from detaching any force from the vicinity of Niagara, to oppose the movements of General Hull. I trust you will soon be able to act in a more decisive manner."

In his letter to the Secretary of War, dated the 7th of August, he says, "I have been making arrangements for having re-enforcements sent to Niagara, Ogdensburg, and Plattsburg. I trust they will move soon—but too late I fear, to make the diversion in favour of General Hull, which is so desirable."—In the same letter he informs the Secretary that a detachment of the British had been sent from Niagara to Detroit.

General Dearborn, as you will perceive, from his letters of the 3d and 7th of August, knew that troops had marched from Niagara to re-enforce the post of Malden—he was likewise aware that in making an Armistice, he could not include me—as shewn by his letter to me on the subject, where he says, "that as you received your orders directly from the Secretary of War, I could not agree to extend the principle to your command." With full and certain knowledge of these facts he makes the armistice. The circumstance of some of the troops having marched to Malden previous to the armistice, only increased the difficulty, for it enabled the enemy to strengthen their posts and be better prepared for service.

Knowing then, as he did, my critical situation, and that a part of the force of Niagara had marched against me, I ask on what grounds his conduct could be justified?

There is additional evidence to shew, that General Dearborn was correct in stating that troops had been sent to Malden, as found in the letter of Colonel Cass to the government after the capitulation, which letter was sent to the court martial as evidence against me. Colonel Cass says, "that about the 10th of August, the enemy received a re-enforcement of about four hundred men." General Dearborn left it optional with me to act on the defensive, and it was equally so with the British—for as a part of their troops had left Niagara previous to the armistice they were not pledged by it. Now, had I received his letter,

announcing the armistice, and had I found it expedient, to have proposed a similar measure the enemy was at full liberty to do as he pleased, and leave me no choice.

The son of the General, in defence of his father, says, "that so far from neglecting the situation of General Hull, every precaution was taken by General Dearborn to render this arrangement not only *not injurious but advantageous to him!*" On what grounds was this opinion of the son of the General founded? I am left to suppose that it was on the letter of his father to the Secretary of War, in which he observes, "I have no expectation that the government will consent to a cessation of hostilities, but all circumstances considered, it may be well to avail ourselves of the occasion, until we are better prepared for acting with effect; at all events, we can lose nothing by the arrangement I have consented to, it being explicitly understood, that my government will not be under any obligation to agree to it, unless the despatches of the British government are such, as to induce the President to propose an armistice, as preparatory for negotiations for peace!"

The only reason given in this letter is, that we might be better prepared. Whose fault was it that we were not better prepared? In my 33d number, it is proved, that it was the duty of General Dearborn to have made the preparations at Niagara, &c. and that he neglected, *even* to give any orders for the purpose, more than forty days, after the Secretary of War, gave him instructions for the purpose.—No principle is better established, than, that a man shall not take advantage of his own wrong.

Thus I have proved that he knew I required assistance—that re-enforcements of the enemy had been sent to aid in opposing me—that he did not include my army in the armistice, and yet that he made it while possessed of this knowledge. I ask you to consider what motives could have induced him to have agreed to a measure, so fatal to my army?

I will now consider young General Dearborn's remarks as to my views of the conquest of Canada, without the assistance of a navy.—The best evidence, I can offer is my official letters to the government. In a letter addressed to the Secretary of War, in 1809, I say, "I would likewise suggest for consideration the expediency of building some armed vessels on lake Erie, for the

purpose of preserving the communication. *Consider* you have three military posts to the north and west of these waters, and no other communication with them." In the next, dated the 6th of March, 1812, more than two months before the declaration of war, I observed, "If we cannot command the ocean, we can command the inland lakes of our country, I have always been of the opinion, that we ought to have built as many armed vessels on the lakes as would have commanded them. We have more interest in them than the British nation, and can build vessels with more convenience." Both these communications were made before I accepted a military appointment.

After this appointment, and before I left Washington, to take the command of the northwestern army, I presented another letter to the Secretary of War, and I here copy from my defence before the court martial the contents of it. Page 38—"It did contain, a representation, in the most explicit and strongest terms, of the necessity of our having a naval force superiour to the enemy on the lakes, and that without it, and unless the army I was to command was strengthened by additions to its numbers, and unless it was followed by detachments, to keep open the communication, and insure it supplies from Ohio, and unless it was supported by co-operations on other quarters, my army could not be able to maintain itself at Detroit, much less carry on offensive operations in the enemy's country."

On this subject, I will here state the testimony of Captain Charles Stewart of the navy, who says that at an interview he had with the Secretary of the Navy, in the beginning of April, 1812, "the Secretary informed him, that it was contemplated to give him the command of the lakes; that a naval force superiour to the British on the lakes, had been strongly urged by General Hull, *as essential*, and as a certain means of ensuring to the army success." This interview of Captain Stewart with the Secretary of the Navy did not take place, until I left Washington for Ohio, to take the command of the army, as he had not arrived, while I was there.

Young General Dearborn ought to have stated the whole of General Porter's testimony—it is to be found in pages 126 and 127 of my trial.

He says, the last of March or the beginning of April, he was with me at the office of the Secretary of War, and I recommended that a navy should be formed on the lakes, to have a superiority over the British in case of war; that I stated the strength of the British naval force; and that I recommended a sloop of war of twenty guns, and that the brig Adams, then on the stocks, should be taken into the service; and the Secretary of the Navy proposed writing to Captain Stewart at Philadelphia, to repair to Washington to concert measures. He then says, that a navy agent was appointed on the lakes; that he was twice at the President's with me, when the subject of a navy was talked over; at one time, he says, that the President thought it would be abandoned—at another time, he agreed that it should be done. I have stated here the substance of his testimony on this subject, in as concise a manner as possible.—Whoever wishes to see the whole of it, will find it in the book and pages I have mentioned.

It does not appear that the plan was abandoned before I left Washington; because after my departure a navy agent was appointed to build a navy, and Captain Stewart was sent for to command it.

If the President at any one time suggested to General Porter that it was abandoned, it must have been mere loose conversation, and not an official determination.

My letters to the government on this subject, ought and will be considered the best evidence of my opinions; and as they were received as official communications, I had good reason to believe that the views of the government accorded with my own. Every person, therefore, who will read these letters to the government, on the subject of a navy, the last of which was written after I was appointed to the command of the northwestern army, and a few days only before I left Washington, and likewise the other testimony I have offered, must be satisfied, that I had reason to expect a navy sufficient to preserve the communication of the lake, would have been constructed.

It is true, in my official communications, and in my conversation with the members of the administration, that while I urged, in as strong language as I was capable of using, the expediency, and indeed necessity, of commanding the upper lakes, in the event of war with Great Britain, at the same time I

stated the only measures by which our territory and posts situated on those waters could by any possibility be preserved, provided a navy could not be prepared.

Should not that essential preparation be made, the plan which I proposed was, as soon as war was declared, to cross the Niagara river with a large army, to co-operate with the forces I commanded. I further stated, that if with these armies we could make the conquest of Upper Canada, the harbours around every part of the lake would be in our possession, and the navy of the enemy could not be supported, and must be destroyed, or fall into our hands.

If on the alternative, here stated, the administration abandoned the measure of building a navy in 1812, and adopted the suggestion I had made, an army ought immediately to have been assembled on the Niagara river, of sufficient strength, to have co-operated with mine, to have taken possession of the province, and especially of the harbours on the lake. This not being done, was strong evidence to me, that the alternative was not adopted, and that a navy would be prepared, which in all my communications I recommended in conjunction with an army to be preferable. Ever since I have had a knowledge of that country, I have given the opinion, and that opinion now seems to be confirmed by experience, that the command of the lakes, is essential to its preservation.

This opinion was founded on its distant and isolated situation, Detroit being separated from any other settlements, by a wilderness of more than two hundred miles, Michillimackinack five hundred, and Chicago eight hundred, and the whole of them situated on navigable waters.

This must continue to be the case, until they are united to the states, by the progress of settlemen'. This explanation I have been called to make in consequence of General Dearborn's assertion, and you have now before you *both* of my views as to the conquest of the Canadas.

In this defence of General Dearborn, it is very frequently asserted, that I could have taken the British fort at Malden, and my instructions from the Secretary of War are recited, to show that it was my duty to have done it, indeed, that I was directed to do it; as it was made a crime against me for not doing it, I will ask your attention to this part of the subject. On the

first column of the defence of General Dearborn, are recited the only orders I received on this subject. They are dated the 24th of June, and were received on the 9th of July; I here copy them from his defence, with my answer on the same day they were received.

"Should the force under your command be equal to the enterprize, consistent with the safety of your own posts, you will take possession of Malden, and extend your conquests as circumstances may justify. It is also proper to inform you that an adequate force cannot soon be relied on for the reduction of the enemy's posts below."

My answer to this part of the Secretary's letter on the subject of taking Malden, written on the 9th of July, the same day it was received, is in these words: "The British command the water and the savages. I do not think the force here equal to the reduction of Amherstburg, (meaning Malden.")

I am much obliged to the author of the defence, for copying the last paragraph of this letter, which he says I omitted; it is a very strong additional reason for the opinion, I gave for not making an attack on that fortress. I was informed by it, that the divisions of the army at Niagara, &c. were not ready to cooperate in the invasion of Canada. It now appears by this letter of the Secretary of War, that I was ordered to cross the river, and make the invasion of Upper Canada, and the enterprize of attacking Malden, was left to my discretion, and I was to make the attempt if in my opinion, it could be done consistent with the safety of my other posts; and it likewise appears, that I wrote to the Secretary, on the same day that I received this letter, that it was my opinion, that it could not be done consistently with the safety of my other posts. Here is presented all the orders and facts, which relate to this subject. I now ask you, fellow citizens, and particularly those of you, who have had military experience, and paid particular attention to military subjects, whether, under these orders, and the opinion I had given to the government, I could have been justified, in making the attack? If I had ordered the enterprize, and it had been unsuccessful, would not the administration have said, and with propriety, that the measure was left to my discretion, and I had given my opinion, that it could not be undertaken, with safety to my other posts? Indeed, whether the true mean-

ing and intention of this order, considering the opinions I had given, in conjunction with it, and the information the letter contained, that I should then have no co-operation, was not that I was not authorized to make the attack?

Besides, after the Secretary of War had received this letter, in which I stated that my force was not equal to the enterprize, I received an answer from him, in which he said, that my conduct was not only approved, but viewed with the highest satisfaction, by the President. From these facts and documents, it must be evident, that I strictly obeyed the orders I received from the government, and that different conduct would have been a violation of at least the spirit and intention of them.

No. XXXVI.

I will now reply to that part of the defence of young General Dearborn in protection of his father, in which he accuses me with attempting to pervert the testimony of Major Snelling, and endeavour to satisfy you, that there is not the least foundation for this accusation. To exhibit it in the plainest possible manner, I will here copy the testimony on column No 1. precisely as it is printed in the number of my memoirs, to which the young General refers, and in which he says it has been perverted, and opposite to it in No. 2, you will see the testimony, as printed in the Report of the trial, with the *same* punctuation, as in each.

No. I.	No. II.
Witness says, "That he stood at the corner of the slip leading to the gate of the fort. and attempted to count the British troops on entering the fort; that the troops in ad vance were the 41st regiment, in platoons of fourteen files as well as the York volunteers, twenty-nine platoons, two deep in red coats; that the militia platoons, which were	"That witness stood at the the corner of a slip leading to the gate of the fort, and attempted to count the British troops on entering the fort—that the troops in advance were the 41st, in platoons of fourteen files, as well as the York militia volunteers–twenty-nine platoons, two deep, in red coats—that the militia platoons consisted of no more

in the rear, consisted of no more than seven or eight files, and composed one third part of the whole force, probably seven hundred & fifty whites; of which the remaining two-thirds were regulars and ununiformed militia."

than seven or eight files, and composed one third of the whole force—probably seven hundred and fifty whites—of which the remaining two-thirds were regulars and uniform militia."

Witness says, agreeably to statement, "That the troops *in advance*, were the 41st, (meaning regiment) in platoons of fourteen files, as well as the York militia volunteers—*(as well as*, that is, the 41st regiment *with the* or *as well as* the York militia volunteers) (York *militia* volunteers, *militia* of course, they being volunteers) twenty-nine platoons, two deep, in red coats —that the militia platoons (which were *in the rear*, certainly, as the 41st regiment and the York militia volunteers were *in advance*, as above stated) consisted of no more than seven or eight files, and composed (what *composed*, why the militia platoons composed) one third of the whole force—*(one third* of what, why *of the whole force)* probably seven hundred and fifty whites—(who do these *seven hundred and fifty whites* refer to, why, to *one third of the whole force)* of which the remaining two thirds were regulars and uniform militia," (what does, *of which* refer to, why to *whole force)* the remaining two thirds (one third of the whole force, being seven hundred and fifty whites) the other two thirds must of course have amounted to fifteen hundred whites, as twice seven hundred and fifty is equal to fifteen hundred; and seven hundred and fifty being added to fifteen hundred, makes the whole white force amount to two thousand two hundred and fifty whites, as I have represented in my memoirs, and now have actually demonstrated. It will therefore read thus,

"That the troops *in advance* were the 41st regiment, in platoons of fourteen files, *as well as* or *with the* York volunteers—twenty-nine platoons, two deep, in red coats—that the militia platoons, *which were in the rear*, consisted of no more than seven or eight files, and composed one-third of the whole force, probably seven hundred and fifty whites, of which the remaining two-thirds were regulars and uniform militia." From these premises, I make the following calculation, That the number of *militia* being seven hundred and fifty whites, which was *one*

third of the whole white force and the remaining *two-thirds*, which were regulars and uniform militia, and consisting of course of fifteen hundred, inasmuch as the first third seven hundred and fifty, gives therefore the aggregate white force, the number of twenty two hundred and fifty men, as I have before stated in my memoirs. Add to this only six hundred Indians, which it is proved by the testimony of Lieutenant Forbush, before referred to, and which he states to have counted the day before the capitulation, and the whole number of the enemy would amount to two thousand eight hundred and fifty men.

In my defence before the court martial, I merely referred to that part of Major Snelling's testimony, where he mentioned seven hundred and fifty whites, without considering it in connexion with the other part of it. In my memoirs I stated that I had only two days allowed me to prepare my defence, and arrange a mass of testimony which had occupied thirty-two days in presenting to the court. I observed it was not so full and intelligible, as it might have been, had more time been allowed me. Although however I may have stated the testimony of Major Snelling, on my trial, as young General Dearborn has represented I did, yet if any part of it were overlooked by me at that time, which is susceptible of a construction on a less hurried examination, to operate in my favour, a candid and liberal mind would at once concede, that it was not only my prerogative, but that, in justice to myself, it becomes my duty to avail myself of it.

I will now state to you the testimony of Major Jessup, who was the Adjutant General of my army, as reported in my trial, page 94, in these words, "That he had received a report from different Adjutants of different corps, estimating the men fit for action, and thinks that the amount exceeded one thousand men, including the Michigan militia of four hundred, and the detachments absent with Colonels Cass and McArthur; perhaps this estimation includes the Michigan legion."—He likewise says, "there were also on the evening of the 15th, about thirty or forty armed wagonners." Young General Dearborn, in his defence, says, the Michigan legion consisted of one hundred. After deducting these detachments, it will appear, that my whole effective force on the day of the capitulation, did not

exceed but about six hundred men, agreeably to this testimony.

By examining the testimony of Colonel Cass, as contained in his memorable letter to the government, he states the effective men fit for duty on the 16th August at one thousand and sixty, without including, as he says, a detachment to which he refers, and the Michigan militia of three hundred, on duty. This statement, you will perceive, is made thus minutely by a man, who was absent at the river Raisin with Colonel McArthur on the 16th, and could therefore only receive his information from hearsay testimony, whereas the statement of Major Jessup, is testimony furnished by an individual, the Adjutant General of the army, and being present on the 16th testified both to what he saw and heard on that day. The variance of their testimony I will leave with you to reconcile or to discriminate between them. From the above view, it appears, my force on the day of the surrender was less than one third of the white force of the enemy, and not a fourth of his whole force, consisting of white men and Indians.

The manner in which young General Dearborn has given an account of the numbers of my army renders it necessary, to make some explanation of it. He has extracted the whole number in each regiment from a return, which was made at fort Findley on the 17th of June, soon after the army commenced its march in the wilderness—and has represented it in such a way, as to induce you to believe, that the number he has mentioned was present and fit for duty at the time of the surrender. Young General Dearborn has been a military officer himself, and must have known, that such a misrepresentation would have deceived those unacquainted with military forms. He well knew, when a Colonel makes a return of his regiment, he is obliged to include in it, every officer and soldier, belonging to it, whether present or absent, fit for duty or not fit for duty. He had the returns before him, when he made the extract; why then did he not publish those returns instead of the total aggregate? It is well known that the fourth regiment had been stationed at post St. Vincennes and joined the militia regiments at Urbanna a few days only before the army marched. All the sick and non-effective men of the regiment, were left at that post, and many were debilitated on the march and did not join

the regiment at Detroit. When young General Dearborn was stating a few lines only of Colonel Miller's testimony, ought he not to have stated the Colonel's account of the numbers that regiment contained? If he had stated this account of the number of that regiment, instead of four hundred and eighty-three, it would have appeared that only two hundred and fifty or two hundred and sixty were at Detroit and considered effective men. By reference to page 111, of my trial, it appears that when asked the strength of the fourth regiment, fit for duty on the morning of the surrender, says, "There were about two hundred and fifty or two hundred and sixty, effective for duty." General Dearborn then makes it appear, that in the three Ohio regiments of militia, with the few dragoons there were fifteen hundred and ninety-two men. This number is three hundred and ninety-two more than the President had ordered, which number as has been stated, was twelve hundred, and I had no authority to take any surplus under my command. The Colonels, I presume at that time, must have included this surplus of three hundred and ninety-two men, in their returns, in order to obtain provisions for them in the wilderness, as it could not be obtained in any other way. These men were volunteers, who had joined us at intervals on our march, and were not under my orders—they returned home whenever they pleased. At the time of the capitulation, on the 16th August, young General Dearborn includes all the straggling volunteers, all the men of the fourth regiment who were left at post St. Vincennes, all that were left sick on the march, and all the Michigan militia which were then scattered over a territory of five or six hundred miles in extent. If he had been desirous of presenting to you a just statement of my effective force on the day of surrender, he never could have exhibited the statement which he has now attempted to impose upon you. Michillimackinack, which was a part of the territory and all the militia at that place and the adjoining country, were in the hands of the enemy. By a letter I received from Colonel Anderson, which I recited in a former number, who commanded at the river Raisin, he requested me, not to order any militia from that place to Detroit, but desired I should send re-enforcements and ammunition, for the preservation of the settlements, against the savages. This was at that time the largest settlement in the territory, except-

ing the one at the Detroit river. Under the exposed condition of that settlement, as stated by Colonel Anderson, no men were ordered from that quarter to Detroit. Indeed, there were no militia which could have been collected at Detroit, excepting the few who resided on that river. By ascertaining what population was on the Detroit river, and the disposition that was manifested by such of those as were with me on the 16th August, you will be enabled to form a judgment of their numbers and what dependence I could place on them. I was of the opinion, and I believe you will agree with me, there could have been none at all. A part of them had joined the enemy at the Spring Wells, and their Colonel informed me on the morning of the 16th, that the whole of them would do the same.

In our investigation, we ought always to make use of the best evidence the nature of the case will admit. In this case, the return of the Adjutant General is the best evidence. I have stated his testimony, given under oath, relative to my force on the morning of the 16th of August, and he says, "that the number of effective men, was about one thousand, including Mc Arthur and Cass's detachments—"and by deducting them for the reasons, which have been fully stated, my force would be reduced to about six hundred men. Thus you see the monstrous errours, which this son of General Dearborn has committed in his solicitude to defend his father. To check his impetuous ardour, the boundaries of truth have been no barrier, but have been overleaped with as much facility, as if straws only had impeded his course.

It is a duty which I owe to myself and to a proper investigation of the subject, to state the situation and inducements of the witnesses, immediately after the surrender, but before the trial, the testimony of whom is introduced to you by young General Dearborn, that you may judge of the degree of credibility to which each is entitled.

In the first place, I will introduce to you Colonel Cass, who proceeded to Washington immediately after the capitulation, and under the eye of the officers of the administration, addressed a letter to the Secretary of War, giving such an account of the events of the campaign, as they, who were my prosecutors, wished.

He was the first witness examined by the court Martial. All the other witnesses were present, and attended to hear the testimony he gave. Before he testified, he had been promoted from the rank of a lieutenant colonel of militia, which he held while under my command, to the rank of brigadier general in the standing army, and by looking at the register of the regular army at that time, it will be seen how many colonels of that army were superseded, to make way for his promotion. When he was on the stand, testifying, he had in his pocket, an additional commission, as governour of the territory of Michigan, which office, I had held for nine years, and my conduct had received the fullest approbation of the government. If you will examine the newspapers, devoted to the administration, around the capital, at Albany, where the court martial was held, you will there see, immediately after he testified, the manner in which his testimony was applauded. When the young officers who were left to follow him, perceived the distinguished favours he had received, and the manner in which his testimony was applauded in the newspapers, and being present and hearing the testimony he had given, I ask you, whether, they did not expect, that following the paths he had opened, they would attain by the most direct course, similar favours and distinctions?

The letter which he had written to the Secretary of War, before I was in a situation to communicate official information of the event, has since been published by young General Dearborn, in defence of his father. This letter, giving a minute account of transactions, a knowledge of which he could only have acquired by hearsay, was not only received from a junior officer, and published by the administration as an official letter, but was sent by the same administration to the court martial, as evidence against me, to prove capital charges, and has been recorded in my trial!! By his own testimony, it appears that he was absent at the time, and all the knowledge he had of the transactions on the 14th, 15th, and 16th of August, as I before observed, was mere hearsay evidence.

I ask you to compare the statements made in this letter, with the testimony of the witnesses under oath, who were present, and from whom he must have received his information. In his letter, he says, after he returned to Detroit, Major Jessup, the Adju-

tant General, informed him that my force on the morning of the 16th of August, was one thousand and sixty, and further says, the detachment sent to the river Raisin, was not included in that return. Major Jessup, the Adjutant General, says, he informed Colonel Cass of the return that morning, and that there was about one thousand, and expressly says, that this detachment *was* included in the number. It would tire your patience to point out all the variations of this letter from the testimony; I therefore leave the comparison with you, as the whole of the letter, and the testimony of the Adjutant General, from whom he says he received the information, have been published.

General McArthur, was a lieutenant colonel in my army, and after the campaign, and before he gave in his testimony, was appointed a Brigadier General in the regular army, without having performed any service to entitle him to it, or ever having had any military experience, excepting while under my command. The administration could certainly have had no other motive in superseding all the colonels in the regular army, in making this appointment, than to prepare him to testify against me. Colonel Snelling, was a captain in my army, and before he appeared as a witness against me, was promoted, and soon after had a regiment given to him. The administration never even instituted an inquiry into his conduct, for having left his post at the Spring Wells, on the night of the 15th August, 1812, without orders, where General Brock landed the morning after.

Major Whistler was a captain in my army. This officer was a soldier in General Burgoyne's army, and deserted from it. During the Indian war, while General St. Clair commanded, he enlisted in our army. Having been in the British army, he had acquired some knowledge of the manual exercise, and was appointed a sergeant: afterwards an ensign: and finally advanced to the rank of captain. The President being informed of his character and situation, refused him further promotion, although he became entitled to it in regular succession. For a number of years, younger officers superseded him. He submitted to this degradation, and did not resign, according to usual custom in such cases. At my trial his testimony was wanted by the administration, and he was promoted to the rank of major, and travelled from Ohio, in the midst of winter, to testify against

me. He was certainly deeply indebted to the administration, and did not fail in his testimony to make a suitable reward. He ought, however, to have remembered, what would have been his fate as a deserter, if I had not made particular provision, in the capitulation, that *all* belonging to my army, should be protected in their persons. Major Jessup, was a lieutenant in my army. I appointed him brigade major, and acting adjutant general, with the brevet rank of major. After the campaign, but before he presented himself as a witness against me on my trial, he was appointed a colonel in the army, and afterwards, quarter master general, and is now quarter master general of the United States. All the other witnesses, part only of whose testimony have been cited in the defence of General Dearborn, who could be induced to testify against me, were patronized and promoted, and prepared to follow General Cass, the principal and leading character in the mock trial, under which I have suffered. In considering the testimony of these witnesses, you will find, that the principal part of it consists merely of their *opinions*, with regard to my declining the attack on Malden, in retreating from Sandwich, in not keeping open my communication to Ohio, and in agreeing to the capitulation. The witnesses ought not to have been suffered to have stated any thing but facts, and it was the province of the *court* to have formed *opinions*, on those facts. By this mode of procedure the witnesses became the judges, and the court was left in the degraded character of being the organ of their opinions. I will now, fellow citizens ask your patience a few moments, while I present to you, from the reports of the trial, from which young General Dearborn has made his extracts, a small part of the other evidence, which was given to the court martial, and will refer you to the report of my trial for the whole of it. I will begin with Colonel Miller's testimony. It is to be found in page 115. He says, "that he saw nothing in my conduct on the 16th of August, which the fatigues I had undergone, and the responsibility which was upon me, might not have produced." General Dearborn in defence of his father, has only cited a line or two of Colonel Miller's testimony. It contains several pages, and I refer the reader to the whole of it. It will be seen that Colonel Miller, who was constantly with me, *saw nothing in my conduct, which the fatigue I had undergone, and the responsibility*

which was upon me, might not have produced. And in his testimony afterwards, when particularly inquired of, could state nothing but the surrender, which could have made any other impressions. Colonel Miller was a witness, and not a member of the court martial; and it was his province as a witness, *only*, to have stated facts. It was known that I had surrendered, and the manner in which I had surrendered, and it was for the court to have determined whether it was proper or not. His testimony, therefore, must be considered favourable to me. I have been the more particular in making these observations, because they will apply to more than half the witnesses on the trial. They stated nothing but the naked facts, that I refused to attack Malden, that I retreated from Sandwich, that my communication with Ohio was not kept open, and that I agreed to the capitulation; all of which was supported by *their opinions only*, to prove that I was influenced by other considerations than a sense of duty. On an investigation of the causes which led to these events, the court martial was sitting in judgment, and the opinion of witnesses ought not to have been admitted.—Therefore it is unnecessary to be more particular in reciting them.

I will here state the testimony of Captain Bacon, who was then an officer in the fourth regiment, page 124, report of the trial. "Witness saw General Hull once on the 15th of August, on the parapet, and once on the 16th. He saw him also, in different parts of the fort during the cannonade. General Hull appeared engaged as usual, and agitated more than usual on the morning of the 16th, but witness does not know the cause. He had no suspicion that it proceded from personal fear, neither did he hear any officers at the time express an opinion that it did." The testimony of this officer was favourable to me; he received no favour, no promotion from the government. The first opportunity that occurred when the army was reorganized. Captain Bacon, though a valuable officer, *was not even retained in service.* In page 131 of my trial, will be seen the testimony of Major Munson, a major in one of the Ohio regiments. He says, "the General's situation was a critical one; he had a great deal of responsibility and great care on his mind, if he had any feelings. I saw nothing in his conduct, but what might be accounted for, without recurring to personal fear."

You will observe, fellow citizens, that the court martial acquitted me of the charge of treason, and every specification under it. My trial was delayed nearly two years, by the administration, to hunt up testimony on that charge. Not even the shadow of testimony could be found; not one act could be discovered, which afforded even the colour of proof. The clan of witnesses, who had been patronized and promoted in the manner which has been shewn, were as ready to have given opinions on this charge, as they were as to my personal appearance.

Both the administration, and the court martial thought it would be too great an outrage, on established precedent, to found a conviction on the *opinions* of witnesses alone, without proving a single act in support of this charge. They believed the reasons, good sense and justice of mankind, in this enlightened age, would revolt at such an attempt. For this reason alone, the ground was changed, and all the power of my prosecutors was collected to a single point, to prove that I was under the influence of personal fear. In searching the records, far back in the days of ignorance and oppression, when the people were not allowed even to think, some precedents were found, for the admission of *opinion* on this charge. The witnesses therefore were allowed to state their *opinions*, that I was under the influence of personal fear, because I did not attack Malden, because I retreated from Sandwich, because I did not open any communication with Ohio, because I agreed to the capitulation, finally, because they *thought* there was the appearance of alteration in my countenance. It will be perceived that when I considered it not expedient to attack Malden; to retreat from Sandwich, and to take measures for opening my communication to Ohio, there was no enemy within eighteen miles of me, *and in reality, no appearance of immediate danger.* When in the exercise of my discretion and best judgment, I performed those acts, was it proper for the court to take the opinions of witnesses, with respect to the motives which induced me to adopt them? Was it not their province alone to determine the propriety of these acts? I ask, whether the court did not give up its prerogative to the witnesses, when their opinions on these military acts were admitted as evidence? for what purpose were their opinions admitted? Certainly for no other, than to prejudice the minds of the court, and induce it to pronounce

judgment against me. If then the judgment of the court was grounded on the *opinions* of the witnesses. the witnesses might as well have been the court, and have themselves pronounced sentence. I will here present to you some extracts from a celebrated English historian, who gives an account of the trial of Lord George Sackville, who was tried for misconduct at the battle of Minden.

Doctor Smollet, the historian, having stated that some testimony was given to prove that when certain orders were delivered to Lord George, he was alarmed to a very great degree, and seemed in the utmost confusion, subjoins remarks, from which the following are extracts. "The candid reader will of himself determine, whether a man's heart is to be judged by any change of his complexion. Granting such a change to have happened; whether it was likely that an officer who had been more than once in actual service, and behaved without reproach, so as to attain an eminent rank in the army, should exhibit symptoms of fear or confusion, when in reality there was no appearance of danger. With regard to the imputation of cowardice levelled at Sir George, by the unthinking multitude, and circulated with such industry and clamour, we ought to consider it as a mob accusation, which the bravest of men, even the Duke of Marlborough could not escape. We ought to view it as a dangerous suspicion, which strikes at the root of character, and may blast that honour in a moment, which the soldier has acquired in a long course of painful services, and at the continual hazard of his life. We ought to distrust it as a malignant charge, altogether inconsistent with the former conduct of the person accused."

In the application of the observations of this historian to my situation I hope, without the appearance of vanity, under circumstances which have taken place, I may ask your attention to the actual service, and the dangers I was called to encounter during the war of the revolution? From an examination of the history of that period, from authentic accounts, documents, and other evidence, which have been recently published, and from the knowledge of many of my associates in those memorable conflicts, who are now living, the manner in which I conducted may be made known to you; you may be made acquainted with the numerous battles in which I was engaged, and the approba-

tion of my conduct on every occasion, by the illustrious leaders of our armies; on the other hand, there is now presented to you the events of an after period. The plan of the campaign of 1812 has been laid before you; the part which I acted in it has been fully unfolded. The character of the army I commanded has been explained; the orders I received have been recited, and the object of the government, with regard to the conquest of Upper Canada, and the manner in which I commenced offensive operations from Detroit, in conformity to my orders, have been spread before you. You have likewise before you, the orders which General Dearborn received from the government, dated as early as the 26th June, eight days after the declaration of war, to form two armies, to co-operate with me, in the invasion of Upper Canada, agreeably to his own plan of the campaign, and the manner in which he obeyed those orders. That I was not only left alone and unassisted, but that he agreed to an armistice, which enabled General Brock with the whole force of Canada to march against me; and that he made this armistice, when, as appears by his letter of 7th August, to the Secretary of War, only one day before, he acknowledges he had been informed that troops were marching to Malden, from Niagara, against me. In addition to this force from the east, Michilimackanack had fallen, and the forces in that quarter were bearing upon me; Chicago had fallen, and the savages from the west were pressing forward; the road I had opened from Ohio was closed by hostiie savages, and the lake was shut against me by the British navy. Being not only the General of the army but the Governour of the territory, I ask you to reflect on my situation at the time, when General Brock landed with a force more than three times superiour to mine, and invaded our territory—to consider the scattered situation of the inhabitants of the country—that it was impossible for me to afford them protection; under these circumstances your views will no doubt accord with the testimony of Colonel Miller, and many others of the witnesses on my trial, who stated "that they saw nothing in my conduct, but what the responsibility of my situation, and the fatigue I had undergone, might occasion." And when you further consider, how deeply interested, not only the administration, but the president of the court martial were in the result, of my trial, and likewise the manner in

which the witnesses had been trained by patronage and promotion, before they appeared as witnesses against me, the informality in receiving their testimony in the presence of each other, the admission of *opinions*, in lieu of direct testimony as to facts, I most willingly appeal to your judgment, for an approbation of my conduct.

No. XXXVII.

Young General Dearborn has published a number of my letters to the Secretary of War, and you will see by the dates of many of them, they were written while I was in the state of Ohio, and before I had any knowledge of the declaration of war. In answer to his strictures on those letters, I will observe that I expressed my honest feelings of the opinion I entertained. of the character of the citizens of Ohio. That they manifested a praiseworthy spirit, and had volunteered their services, with a promptitude and energy which was highly honourable to them.

I further observed, "that the army was in high spirits, and animated with a laudable zeal," and in another letter observed, "that the patriotism and perseverance, with which this army has sustained a march, attended with difficulties, uncommon in their nature, does honour to themselves and their country." These expressions of approbation, I then thought, and now think were due to them.—I knew, and therefore said nothing of their discipline, military experience, or subordination.

It will be recollected in the letter of the Secretary of War to me, of the 9th of April, the force, which I was to command, was described, and the object of my command then stated. The force was twelve hundred militia, and the fourth United States regiment.—The object was the security of the Michigan territory, and the protection of the exposed frontier settlements from the Indians. This force I stated to the government, was sufficient for this purpose in time of peace. It would, therefore, have been wrong for me, to have asked for a larger force under those circumstances.

I stated likewise, the amount of my force and the numbers which had joined the army, after I commenced my march through the wilderness. I have explained to you the manner, in which this force was formed. I stated that I considered it sufficient to oppose any force of Indians which could be brought against me.

After the declaration of war, and after the desertion of some of the militia, I wrote to the Secretary, that although I might take Malden, yet I thought it would be attended with too great a sacrifice. In reflecting on the expediency of attacking the regular constructed fort at Malden, defended by British troops, I could not call to my mind a single instance during the revolutionary war, where militia had successfully marched up to, and carried regular fortifications. I expressed it as my opinion, which was also concurred in by a council of war, that we had better wait until heavy cannon could be provided—my calculation was made, and my communications to the government were founded on the force, which was then at Malden, and the additions which probably would be made to that force.

Had not the post at Malden been re-enforced in any other manner than I had reason to expect, in the common occurrences of war, my opinion then was and now is, that I should have been able to have sustained my situation at Detroit, provided, I had been assisted from Ohio, in opening my communication, in such a manner as to have received supplies.

It will, however, be observed, that I stated in one of the letters, quoted by young General Dearborn, that the force at Malden, in point of numbers, was superiour to mine. And if one part of my letter is recited to operate against me, the other part ought certainly to be entitled to equal credit. There is no doubt, fellow citizens, that the force ordered for my command, was sufficient for the protection of the frontier settlements, against the Indians, in time of peace, under all the excitements which could have been made, which, as I was informed by the government, *was* the object, for which it was ordered.—And further, in my opinion, it would have been sufficient, not only to have defended our territory, but successfully to have commenced offensive operations against Upper Canada, had the communication of the lake been preserved by a navy, and had the commanding General prepared suitable armies from Niaga-

ra to have co-operated with it, instead of having, at a critical moment agreed by an armistice, to act only on the defensive, and thereby leave the whole force of the province to operate against it. It will be distinctly remembered, that when I informed the government, that Malden might be taken with the forces under my command, I observed in the same letter it would be attended with too great a sacrifice. After having made this communication, "that it was my opinion it would be attended with too great a sacrifice," and that opinion having been approved by the President, I submit to your judgment, whether, under those circumstances, I could have been authorized to have made the attempt, without a positive order for the purpose.

The son of General Dearborn has endeavoured to make the impression, that my complaint of the court martial, in not suffering counsel to appear in my defence, was without any foundation. It is true, when I informed the court of the names of the gentlemen I wished to employ as my counsel, the request appeared to be granted. When the trial commenced, and the gentlemen attempted to examine the witnesses, they were informed, that they would not be permitted to examine the witnesses, speak to any collateral question of law, which might arise in the trial, or to the final question, whether by the evidence, I was guilty or not. At the same time, Mr. Dallas, and Mr. Van Buren had been employed by my prosecutors (the administration) to assist the army Judge Advocate, and allowed to examine the witnesses, speak to all questions of law, and to the final question, whether I was guilty of the charges or not, and I was not permitted to reply in any manner whatever, to the application of the testimony, and the arguments, which were made use of, to enforce it against me. Of what use was this apparent candour, in consenting that I might employ counsel? Without the permission of the court, I had a right to ask the advice of any counsellors, that I chose to employ. It is true, the court did not post centinels at my door, and prevent me from consulting with them, neither did they prevent them from writing any questions, and handing them to me, to be proposed to the witnesses. All this they certainly would have had a right to have done, without the permission of the court.

It would have been too great an outrage, for the court to have

determined, that no one should be permitted to write for me, or advise with me.

There could have been no mode of executing an order of this kind, but confining me in a dungeon. Throughout the whole trial, the order of the court, that my counsel should not be permitted to speak in its presence, was rigidly adhered to. It frequently happened, in the course of the trial, that questions of law arose, with respect to the admission of testimony, and on other subjects. Feeling myself incompetent to the discussion of these legal questions, the law was explained by the Special Judge Advocate, who was employed and paid by my prosecutors, and adopted by the court, according to his explanation.

It must be obvious, that the manner in which it was admitted could have been of no use to me. As the administration had employed special counsel to assist the Judge Advocate in the prosecution, the court was not willing, in direct terms, to deny my request. It was however granted in a manner, only to save appearances, but not to be of the least use to me.

I now ask, whether the scales of justice, held by the hand of General Dearborn, the president of the court martial, were equally balanced in this case? My right to employ counsel was founded on the liberal principles of our government, and particularly on our constitution, which is the highest law of the land.

I need only appeal to your own sense of justice and right, fellow citizens, for you to confirm the reasonableness of a request, to be allowed the same assistance of counsel, in the fullest extent, where not only life, but character, which is dearer than life, is depending on the issue of the trial, as is admitted in the most trifling trespass, or question of property, before any of the courts in our country. The argument, fellow citizens, in favour of my right to counsel, to assist me, in showing my innocence, and defending my life and reputation, is founded on that constitution, which is the work of your own hands, and is your unalienable inheritance.

The precedent, by which the arguments urged by young General Dearborn are supported, is founded on a practice, established in the dark ages of tyranny and oppression, when the people were considered as having no rights, and their lives, liberty, reputation and property, were at the disposal of the

will of a tyrant. It is for you to judge, on which side is the weight of argument, and on which side the scales of justice preponderate.

In the defence of General Dearborn, the testimony of Captain Whistler is recited, with respect to provisions. In one of my numbers, I have informed you of the character and situation of this officer. Admitting however, his testimony to be true, with respect to the barrels of provisions in the store, which he says he counted, if you will only take the trouble of calculating the number of rations they would make, and the time when he counted them, and compare it with the issues previous to that time, which have been stated by the contractor, you will find it only would have lasted to about the 16th of August, the day of the capitulation. This statement you will find, is correct by mathematical calculation. This witness has likewise stated the the number of cannon, small arms, powder and ball, at the fort.

In reply I will only observe, that a part of these cannon were left by the British, when the fort was delivered to us, by virtue of the treaty of peace, being principally without carriages, and were considered as useless. Others were left, with the small arms and powder, by General Wayne's army which was disbanded at Detroit, after the Indian war, and all the carriages were rotten, and the small arms ate up with rust and not worth repairing. The powder remained so long a time in the store that it had lost all its strength, and was no better than ashes. I should be wanting in duty to myself, did I not make some reply to that part of the defence which relates to the Indians.— I refer you, fellow citizens, to the 3d number of my memoirs, in which I recited a letter, which I wrote to the Secretary of War on that subject. In that letter the character, habits, and predominant passions of the Indians are described. I informed the government that in the event of war, the sachems and chiefs would advise the warriours to take no part in it, but gave it as my opinion in the most explicit manner, that their authority over them would not be able to restrain them. The policy of our government was not to employ them. As soon as I took the command of the army, I sent messages to their villages and advised them, in the event of war, to remain quiet in their wigwams, and take no part in the contest, in which they could

have no interest. The old sachem chiefs, called in councils, and advised the warriours to this policy. Their advice and authority had no effect, and as I was not authorized to employ them, they all joined the British standard.

Their conduct was precisely such, as I had predicted to the government, and there was nothing, which could have made it different, but an invitation to them to join our standard, which I had no authority to give.

Young General Dearborn has published the names of the officers who composed the court martial, with his father at the head, as president. It required two-thirds only of the members, to pronounce the sentence. It is very certain, that it was not unanimous, as it is said two-thirds of the members agreed to it. Had it been unanimous, it would have been so stated. It must be evident, that a part of the court were opposed to it. I should be happy indeed, were it in my power, to designate the characters, who were only influenced, by disinterested and honourable motives.

I have stated the reasons why I did not object to the president or any of the members of this court martial. I had been much more than a year, a prisoner in arrest, was conscious of having faithfully done my duty, and in my official communication to the government, requested an investigation of my conduct. It had been delayed in an unprecedented manner, during this long time, and I believed, had I made objections to the president or any members of the court, it would have caused further delay. Besides, most of the members of the court were strangers to me; men, whom I never before had seen, and whose names I had never heard, excepting General Dearborn, General Bloomfield, Colonel Fenwick, Colonel House, and Lieutenant Colonel Conner.

By examining the list, published by young General Dearborn you will perceive, the other members belonged to new raised regiments which did not exist, during the campaign of 1812. They were appointed to regiments numbered from thirty-two to forty-two. They had no military rank at that time.

It is well known, that officers were selected to form these additional regiments, from the most violent partizans of the administration, and this alone was a sufficient qualification. Officers of this description constituted a majority of the court.

They were pledged to any measures, which the administration, my prosecutors, wished. With respect to General Dearborn, the president, the deep interest which he had in the issue of the trial, has been presented to you.

General Bloomfield was a meritorious officer of the revolution, and served with credit to himself. He was an amiable and much respected citizen at the termination of the revolutionary war, and I believe retained the esteem of society to the close of his life. He is now numbered among the dead, with many others, his compatriots in arms—and in the presence of that Judge, who examines the motives as well as the actions of men—and before whose tribunal we must all appear.—May he rest in peace!

Colonel Fenwick and Colonel House, I have ever believed were governed by the purest and most honourable motives, and were under no other influence, than a sense of duty. Under this influence, whatever may have been their opinions, I shall ever respect them as honourable men. Lieutenant Colonel Conner received his commission about the time that General Dearborn was appointed the first Major General. It was obtained by his patronage. He was in his family, and one of his aids de camp. But a short time before the court martial was ordered he was promoted to the rank of lieutenant colonel by the same patronage, and selected as a member of the court for my trial. To the president of the court martial, he owed both his first appointment, and his sudden promotions.

Any comments from e, appear unnecessary.

When you consider, that the court martial was composed of a majority of officers selected from the additional regiments, not in service until after the campaign of 1812, and when you reflect on the conditions on which officers were appointed at that time, that they must be zealous supporters of every measure of the administration and subservient to the wishes of its officers and of its commanding General, as an indispensable qualification to promotion, and how deeply interested that administration, who became my prosecutors, were, in fixing the disasters of the campaign on me, I am persuaded you cannot be at a loss to declare the motives which prompted the sentence of two thirds of a court martial, thus selected and thus organized. When you further consider, that this court martial re-

ceived the opinions of witnesses on great military operations, who never had any military experience, and many of whom from the evidence now presented, you must be satisfied, were deeply interested in my condemnation, you must be sensible, that little or no credit ought to be given to their testimony. From the sentence of such a court martial, whose judgment was formed on testimony like this—I have appealed to the highest tribunal on earth, whose decision I am convinced will be founded on impartial justice. In answer to my animadversions on the proceedings of the court martial and the evidence I have produced, to show the deep interest which the president and some of the members had in the issue of the trial, and the motives which must have influenced, nearly the whole of them, he has extracted from my defence an observation which I then made, expressive of my confidence in that court martial. As this is his last effort and seems to be his *dernier resort*, in defence of his father, it becomes necessary to furnish its true explanation. By an examination of the extract, it will be seen, that it is qualified by this remark, 'that there has been some departure from accustomed forms.' Nothing is more evident, for the just construction of a sentence, than that the whole of it ought to be taken into one view, with the circumstances under which it is made. Having stated the manner in which I lost all my papers which related to the campaign, it is well known, that I had no documents at my trial, excepting such copies from the records of the government as my prosecutors thought proper to furnish. In my repeated applications to the government, I requested to be furnished with copies of all the documents which had any relation to the campaign. None were furnished, excepting such as it was thought would operate most strongly against me. In my defence, it may be seen, in what manner I applied for particular documents, which I shewed were deposited in the War Office, and the reasons which were offered, why they were not furnished. The letters from the Secretary of War to General Dearborn, containing the orders to him to cooperate with me, his letters to the Secretary and all the letters relating to the armistice were withheld, and I was consequently deprived of the use of their contents. All I then knew, was that such arrangements had been made, but on what principles, by whose authority, and for what reasons, were unknown to me.

as I could give no explanation, and my prosecutors did not think proper to present them in evidence, it was impossible for me to avail of testimony so highly important to me. The evidence both with respect to co-operation and the armistice, being withheld from me, it was impossible for me to know, how deeply General Dearborn was interested in the result of my trial.—It now seems, however, by General Dearborn's own statement to the Secretary of War, that he entered into the armistice, when at the same moment, Adjutant General Baynes had informed him, that Michillimackanack had fallen into the hands of the British, and consequently when he must have known that an additional force of the enemy, with the tribes of Indians from the north would thereby be spared to act against me. Being blindfolded and kept in ignorance of the deep designs of my prosecutors, I expressed what is well understood to be a general custom in similar cases—a generous confidence in a tribunal of MY PEERS as I had considered them, from the badges by which they were distinguished. Since that period, evidence has been furnished which unfolds circumstances connected with the campaign, and exhibits in colours, which never can be effaced, the causes of its disasters and misfortunes. Those expressions therefore, made under the state of things which then existed, young General Dearborn is at full liberty to grasp, among the many other shadows he so eagerly aims to seize.

It is our duty to respect all the public institutions of our country, and feel a liberal confidence in characters, elevated to the seats of justice—we ought to presume they are unspotted, and free from any undue bias and influence, until the contrary appears.

I will endeavour to illustrate these considerations, by examples in our civil courts which you see every day practised. What is more common, than for an advocate at the bar, to express his confidence in the justice and integrity of the court and jury, before which a cause is tried, either of a criminal or civil nature, involving life, reputation or property, to acknowledge there has been a patient trial, and to express his gratitude for the impartiality with which it has been conducted? But when sentence has been pronounced by the court, if it afterwards appears that the Chief Justice, or other judges, or the foreman or any of the jurors, had a deep interest in the cause, or had

been improperly tampered with, I ask, whether on an appeal from such a sentence, or on a new trial, before another tribunal, it was ever contended, that the sentence was just, and ought not to be reversed, because, forsooth, the advocate at the first trial made such acknowledgments and expressed such gratitude, as is above supposed. I will not insult your understandings, fellow citizens, by dwelling further on a point so clear and familiar to the most inexperienced among you, but will leave this with many other such *strong holds* of the young General, for you to make your own deductions.

The prodigal use of epithets too disgusting for repetition, which adorn the pages of young General Dearborn, in defence of his father, carry with them their own antidote, and are entitled to no further notice from me; such language is the usual substitute, where a cause is deficient of argument or truth for its support; this defence of General Dearborn, with my appeal to your candour and impartiality, are now submitted by your fellow citizen, WILLIAM HULL.

Newton, August 30th, 1824.

No. XXXVIII.

Since the publication of my reply to the attempt of the son of General Dearborn, to defend the conduct of his father, I have obtained some new evidence on the subject of the armistice, which I shall present for your consideration in this number. This evidence consists of the letters of Sir George Prevost to General Brock, a few days before the armistice took place, during its continuance, and after its operation ceased. It is contained in a pamphlet, entitled, "Some account of the Public Life of the late Lieutenant General Sir George Prevost, Bart. particularly of his services in Canada; London, published by Cadell, &c. 1823," *and* will be found in pages 37, 38, 39, 40, and 41. It is stated in the defence of General Dearborn, by his son, that "no troops, or military supplies, were sent to the relief of fort Malden, from any post below, during the temporary armistice, and that General Brock, did not even know-

that one had been agreed upon, until he returned to fort Erie, on the Niagara, after the capture of General Hull and his army, and that so far from neglecting the situation of General Hull, every precaution was taken by General Dearborn, to render the arrangement, not only not injurious, but advantageous to him." To prove that troops had been sent, from Niagara to Malden a few days before the armistice was agreed to, and while it was in operation, I have produced the letters of General Dearborn, to the Secretary of War and to General Van Rensselaer, who commanded on the Niagara river. By these letters, it appears, that General Dearborn had a perfect knowledge, that re-enforcements had marched against me, when he signed the armistice. Although on this point, I believe the evidence I have offered, is satisfactory to you, yet as this unauthorized measure was so essentially the cause of the disasters of my army, it is desirable to remove every doubt, if any exists in the mind of a single individual.

In page 37, of this pamphlet, it is stated, "that Sir George Prevost, upon the receipt of despatches from Mr. Foster, acquainting him, with the *proposed* repeal of the orders in council, by the British government, immediately opened a communication with Major General Dearborn, commanding the American forces, on the frontiers of Lower Canada, for the purpose of concluding an armistice, until the Congress should determine upon the proposals, transmitted to them by Mr. Foster. An armistice of about three weeks did accordingly take place." The advantages are then stated, which this armistice gave to Sir George Prevost; that a regiment had arrived from the West Indies; and after the armistice was concluded, and during the continuance of it, considerable re-enforcements of men and supplies, were forwarded to Upper Canada, where they arrived, before the *resuming of hostilities*, and materially contributed, towards defeating the attempts, which were made by the enemy to invade that province. It is then stated, that intelligence was sent to General Brock, which must have reached him at Amherstburg, (that is, Malden,) while he was at that place. It is then further stated, that "Sir George Prevost despatched a private letter, to General Brock of the 2d of August, 1812, six days before the proposed armistice was concluded, and upon the subject of it." In a letter, addressed to General Brock;

of the 30th of August, 1812, he quotes the opinion of his majesty's government, on the subject of the defensive system, in these words :

"The King's Government, having most unequivocally expressed to me, their desire to preserve peace with the United States, that they might uninterruptedly pursue, with the whole disposable force of the country, the great interests committed to them in Europe, I have endeavoured to be instrumental in the accomplishment of those views. *He then says in this same letter,* "*But I consider it most fortunate, to have been enabled to do so without interfering with* YOUR *operations on the Detroit. I have sent you men, money, and stores of every kind.*" Here are quoted the identical words of Sir George Prevost to General Brock, on the subject of the armistice, and the operations on the Detroit river. Thus fellow citizens, I have not only furnished you with the letters of General Dearborn, to the Secretary of War, and to General Van Rensselaer, that a few days before he agreed to the armistice, and during the continuance of it, that troops had been sent to Malden, from Niagara, but have now established the same facts, by the letters of Sir George Prevost, who commanded the British army in the Canadas—and have likewise established this most important fact, that as early as the 2d of August, six days before the armistice was concluded, that a private letter was sent to General Brock, by Sir George Prevost, giving him information on the subject *of the armistice.*—On the evidence before offered, in addition to this, I ask you to consider on what grounds young General Dearborn could have made the assertion contained in the defence of his father ?

The evidence, which I have presented in this and my former numbers, must exhibit, in the most decided manner, the effects which this measure had on my operations. It now becomes a very serious inquiry, what were the motives of General Dearborn's conduct ?

It cannot be presumed that he acted without motives. His own acknowledgement, that he had no authority to agree to a cessation of arms, is the best evidence which can be adduced, that he consented to a measure which his duty did not warrant, and for which he had no authority; a *measure* not founded in policy or expediency; because he says in his letter to the Se-

cretary of War, that he had no expectation his government would consent to it.

General Dearborn had formed the plan of the campaign, and well knew the time and manner in which the invasion of Upper Canada had been made by the troops under my command. He likewise knew the progress I had made in the execution of his own plan, and the manner in which the operations on the Detroit river had been approved by the President.—Having himself neglected to make preparations at Niagara, and being hard pressed by the President to order his troops to attack the enemy's posts, and co-operate with me; what does he say? I ask you to look at his letter of the 28th of July, to the Secretary of War, recited by the son in defence of his father? You will find, he appeared to be in a state of amazement, and the first sentence of it is, "*Who is to command the operations in Upper Canada?*" This was a critical crisis. By the positive commands he had received, he must have ordered the troops at Niagara to have invaded Upper Canada, and co-operated with my forces, or made some arrangement, for an excuse, for not obeying these positive commands. In this situation, to prevent the possibility of co-operating and affording me any assistance, what did he do? In a few days after he agreed to the armistice, in which he pledged himself, that the troops he commanded, should not make the invasion, and should not co-operate with my forces. Under these facts, the motives by which he was influenced, I do think must be too plain to be misunderstood; especially when considered in connection with his conduct as president of the court martial by which I was tried.

It must be satisfactory evidence, that his measures were regulated by what he believed to be his own private interest, whatever might be the sacrifice, regardless of the public good. By the arrangements he had made, and afterwards by the proceedings of the court martial, of which he was president, he believed that he had supported himself on my ruins; that by this measure, he had disqualified himself from rendering me any assistance and had left all the forces in Canada in a situation to march against me.

My object, you will perceive, is to furnish you with evidence which will remove all doubts from your minds, with respect to the motives of his conduct in relation to me; from the view I

have already taken of the subject I may now ask you, with propriety, whether he did not consider any means justifiable which would have a tendency to accomplish the end. Our actions are influenced by our dispositions; any other part of his conduct therefore, which will show the disposition of his heart, will not be considered as irrelevant to the present subject. His account of the battle of Bunker Hill was written and published in the year 1818. His object in writing and publishing this *account*, must be evident.' His conduct during the war, in which he was nominally considered as the first General, had lowered him to a scale of degradation, which was mortifying to his own vanity and pride. The principal achievements which he performed during his command, were the armistice which occasioned the disasters of my army; his services as president of the court martial for my destruction; and his expedition against York, in Upper Canada, where he remained in his vessel on the lake beyond the range of cannon shot, whence he viewed the gallant and unfortunate General Pike, land his troops, ascend the bank, take possession of the town, and perish with many of his brave troops, by the explosion of a magazine of powder, prepared for the purpose. After this explosion he landed in safety, and obtained a scalp, which he preserved as a trophy of victory. For these exploits he was retained in service, with his rank and emoluments, until peace was established; but in the degraded situation of seeing junior Generals appointed to all the important commands. Not having performed a single act, while commanding General, which entitled him in your estimation to the station he had held, or to the least distinction in society; he remembered, that he was in the battle of Bunker Hill, and that you were disposed to give great credit to those who acted a part on that important and memorable occasion.

His account of the battle was forty-three years after the event took place, and essentially different from any other which before had been published. He says, that General Ward, the commander in chief of the American army, took no interest or part in the transactions of the day; and that General Putnam, who was the senior officer on Bunker Hill, behaved like a "coward," and was entitled to no credit for his conduct; that nothing saved him from trial and censure but his extraordinary popularity, and it was afterwards thought mysterious why Col-

onel Gerrish was made the "scape goat." The circumstances of this battle are an important part of your history, and it is desirable, indeed, that the facts relating to it should be handed down to posterity as they existed, in truth. It is evident that his object in publishing this account was to influence you to believe that General Putnam was a coward, and persuade you to give himself a great share in the glory. Hereafter this subject will be more fully considered.

I will now return to the considerations more immediately connected with the subject of the campaign of 1812.

The letters published in the volume, to which I have referred, from the British government to Sir George Prevost, and his letters to General Brock, distinctly show the views of that government, with respect to the war, which Congress had declared.

The instructions to the British commander in Canada were to act on the defensive.—In these instructions it was stated that the great interests in Europe, required all the strength and resources of the British nation. Under these circumstances, no measure would have been so favourable for the defence of Canada as delay; nothing could have operated so effectually to have produced delay, as an armistice. Its advantage to our enemy are forcibly pointed out in the volume to which I have referred.

Our situation was totally different—to *us* it was a favourable moment for active offensive operations. To both belligerents it could not have been favourable. The acknowledgment by the British commander that it was most advantageous to him, is certainly good evidence that it must have been injurious to us. His advantages were our losses.

In must be obvious that delay must be advantageous to an army whose object is defensive operations; and injurious to one acting on the contrary system. Had the armistice been *general*, considering the objects of the war, and the circumstances of the armies, it would have given advantages to the enemy, and been injurious to us.—Under the *partial* circumstances it was agreed to, (a part of our army not being included in it,) no measure could have been more fatal. The terms of it were such, as rendered all the British posts from Quebec to lake Erie perfectly safe, during its continuance. It is perfectly understood, that

the forces I commanded on the Detroit river had no participation in it; and it is now proved by the letters of Sir George Prevost, to General Brock, that there were no provisions contained in it, which prevented the British commander from sending troops, warlike stores, and supplies of every kind, to re-enforce and assist the army operating against me.

This fact is so important, fellow citizens, that I must ask you to permit me to repeat the evidence of it contained in Sir George Prevost's letter to General Brock. Speaking of his instructions, and of the defensive system, he says, "I have endeavoured to be instrumental in accomplishing the views of my government; *but I consider it most fortunate to have been enabled to do so, without interfering with your operations on the Detroit.—I have sent you, men, money, and stores of every kind.*" —Thus you have before you, the evidence, not only that Sir George Prevost considered himself authorized, notwithstanding the armistice, to send re-enforcements and supplies of every kind to General Brock, *but that he actually did send them to him at the time, and during its continuance.*

You likewise have before you, fellow citizens, the letter of General Dearborn to the Secretary of War, written a few days before he made the armistice; and his letter to General Van Rensselaer, during its continuance, giving information that troops had been sent from Niagara to re-enforce the garrison at Malden; and also the letter of Colonel Cass, to prove, that about the 10th of August four hundred regular troops had actually arrived at Malden as a re-enforcement. You likewise now have the additional proof of Sir George Prevost's letter to General Brock, that it was most fortunate that his defensive system had not interfered with his (General Brock's) operations at Detroit, and stating that he had sent him troops, money, and supplies of every kind, during the continuance of the armistice. On the other hand you have the naked round assertion of the son of General Dearborn, that no troops were sent at that time, as re-enforcements to that place. If the letters of his father and the British commander are to be believed, his assertion cannot be true. It might be some consolation if he could plead ignorance. That is impossible, because in the same paper in which he made the assertion that no troops were sent from Niagara to re-enforce the army at Malden, he published his father's

letters to the Secretary of War, and General Van Rensselaer, giving them the information, and advising General Van Rensselaer to be prepared to take advantage of the reduced situation of the enemy at Niagara, when the armistice should be over.

Thus he manifested his wishes by furnishing evidence which proved his assertions to be false; and something still worse, by making an assertion, which by the evidence in his possession he knew was not true—it therefore must be considered as a wilful misrepresentation.

I make use of no epithets, or abusive language, to excite a prejudice against him; I state facts, and produce the evidence of their truth; I only ask you to make such inferences, as must naturally follow from the facts, and to give him such a character, and such a name as he deserves. No! I will not even ask this! Unfortunate man! My only request is, that you would pity and forgive him!—"Honour your father" is the command of God. Obedience to this command, he says, has been the most painful act of his life. He must remember it was his own act, and however painful, it was caused by his own weakness and passions. It is hoped, it will be a useful lesson to him in future life, and teach him the importance of regulating his conduct, by reason and truth. Having asked your forgiveness for him, I freely offer him mine, because I believe he was so excited by passions that "he knew not what he did."

Had he come forward in an honourable manner, and attempted to have proved, by evidence and fair argument, that his father had no interest in the event of my trial, and that the proceedings against me were just, I should have met him only with the same weapons of evidence, and of argument. But since he has adopted a different course, and has grounded his defence on the proceedings of a court martial, over which his interested father presided, and on those proceedings alone, without any other evidence, has endeavoured to calumniate and continue your prejudices against me, I feel myself justified, and I have the pleasure to believe you will be of the opinion, that I am justified, in the few personal remarks, which I have here made.

From the proceedings of that court martial I have now appealed, to a fair, independent, and impartial tribunal.

My right to this appeal, is founded on the principles of our government. You are the fountain of all power, and the source

whence all authority flows. It follows of course, that your jurisdiction is above all tribunals which you have instituted. I well know the difficulty which attends an individual, in making his case known to so numerous a body. I have stated it in as plain, and simple a manner, as it was possible, that it might be understood by all. It has been published, with great disinterestedness in many, very many of our newspapers, and as far as my knowledge extends, has been read not only without prejudice, but with great candour, and a sincere desire to obtain the truth.

If from a want of evidence before the court martial, or from any other cause, you should now be satisfied that the proceedings against me, were unjust, your opinion will afford happiness to the few remaining days of my life, which no language can express. If, on the contrary, from the difficulty of spreading the truth before you, I should not be able, to convince you, that I acted faithfully, and that my conduct was influenced by a sense of duty, I shall still respect your opinion, and shall only have the same consolation, until my death, which has been my support since the events happened. *A consciousness of the purity of motives, and a belief, that my conduct, as circumstances were, was the most correct.*

I am, with the highest respect,

Your injured fellow citizen,

WILLIAM HULL.

Newton, October 12th, 1824.

APPENDIX.

A GENERAL SKETCH OF THE REVOLUTIONARY SERVICES OF THE AUTHOR OF THE FOREGOING MEMOIRS.

Fellow Citizens,

As many of you are strangers to the early efforts of my military life, and as attempts have been made in the latter part of it, to represent me as unworthy of your confidence, I cannot but hope, that a general outline of my history (as a soldier of the revolution) will be received with the same candour, that has marked your attention in the examination of the foregoing memoirs. No other consideration, but the injustice I have experienced, could have induced me to have presented it to you.

In the year 1775, at the age of twenty-two, I exchanged the profession of law, for that of arms. I enlisted a company of infantry, which became attached to a regiment in the State of Connecticut, commanded by Colonel Charles Webb. This regiment marched to Cambridge, soon after General Washington took command of the army it that place. In this station it remained, until March 1776, when the British army evacuated Boston. The prinicpal part of the army immediately after this event, marched from Boston to New York. The above regiment was stationed on Long Island, until Sir William Howe landed, and after the operations on that Island, retreated with the other forces to New York.

It was likewise with General Washington's army, on its retreat from York Island, to the White Plains. The British General crossed the east river from Long Island, with the principal part of his army, and landed on Frog's Neck, from which place

he marched against General Washington.—The position the American army had taken was on the heights, a small distance back of the White Plains; and a division of this army was posted on Chatterdon's hill, about a mile in its front. Colonel Webb's regiment formed a part of this divison. It was attacked by the whole force of the British army, and was obliged to give way, after sustaining an obstinate and severe conflict, and the enemy became possessed of this ground. In this action, I received a slight wound by a musket ball. The strength of the two armies was now formed within a mile of each other, and it was believed, that a general battle the next day was only prevented by a heavy storm of rain. In the night after this storm, Sir William Howe left Chatterdon's hill, and moved to York island, where he attacked and carried fort Washington, with the loss on our part of killed, wounded and prisoners, of about three thousand men.

After these events, General Washington crossed the Hudson, with a part of his army, to oppose the progress of the British army in New Jersey. His force however was inadequate to the object, and he was compelled to retreat to the banks of the Delaware, cross that river, and take a position in Pennsylvania.

In December, 1776, Colonel Webb's regiment, composed a part of the division of the army, which was ordered to march from the Hudson, through New Jersey, to re-enforce General Washington.—During the march, on the right flank of the enemy, General Lee, who commanded the division, was made prisoner.

A few days after the junction of this division with the main army, the enterprize against the enemy's post at Trenton, and his other stations on the right bank of the Delaware, was projected. This division thus united to the army, under General Washington, aided in the successful attack on Trenton, the night of the 25th of December, 1776, in which a complete victory was obtained. On the 1st day of January, 1777, the term of service, for which the army engaged, had expired. General Washington made an address to the men, in which he acknowledged their right, to return to their homes, and thanked them for the faithful services they had performed. He reminded them of the victory which had recently been obtained by their valour, and invited them to remain six weeks longer in service.

During this time he expected his army would be re-enforced, and expressed a hope to lead them to new victories. After reading and explaining this address to my company, which consisted of sixty men, every one engaged to remain the time, which was requested.

The last day of December, the strength of the British army marched against him at Trenton, and being greatly superiour to his army in numbers, on the night of the 1st of January, 1777, undiscovered by the enemy, and only separated by a small creek, he abandoned his camp, and marched to Princetown, where he obtained another victory no less important, than the one at Trenton.

At this time General Washington had received an authority from Congress, to re-organize the army, and make promotions. I was a young Captain, and not entitled to promotion by regular succession. By a letter from him to General Heath, which has lately been published, it will appear that he gave me the appointment of a Major *in the Massachusetts' line*, in consequence of my conduct, in these two battles. After these events, the beginning of January, the army marched to Morristown, in New Jersey, for its winter quarters.

From this post, I was ordered, to join the regiment to which I was attached, then recruiting in Boston. As fast as the men were enlisted, they were ordered to Springfield on Connecticut river, and when about three hundred had rendezvoused at that place, I was directed to take the command of them, and march them to Tyconderoga, in the month of April, 1777. Michael Jackson, who was the Colonel of the regiment, and had been wounded in an attack on Montrasuer's Island, near New York, the year before, had not recovered of his wounds, and the late Governour Brooks who was the Lieutenant Colonel, remained in Boston, to superintend the recruiting of the residue of the regiment.

General St. Clair commanded at Ticonderoga on my arrival, the latter part of April.—My station, with the command of this regiment, was at the old French lines, which had been repaired the year before. After the arrival of General Burgoyne's army these lines were several times attacked, and the assailants as often repulsed. In the retreat of the army from this post, through the woods of Vermont, I continued to command the

regiment, and after a fatiguing march, a junction was formed with General Schuyler's army, on the Hudson, a little below fort Edward.

As General Burgoyne advanced from lake Champlain, General Schuyler retreated, and crossed to the west bank of the Hudson. The army in its retreat halted at Sarratoga, and in the evening three hundred men, under my command, were posted two miles above, on the bank of the river, as a rear guard. In the night a large body of General Burgoyne's army, with the savages attached to it, crossed to the west bank of the river, made a circuitous march, and at day light in the morning appeared in the front, and on the left flank of the guard, my right being extended to the river. In this situation, the enemy commenced the attack, both in my front, and on the left flank, which was resisted, and the ground maintained, until perceiving they were greatly superiour to me in numbers, and were pressing around my left flank, and gaining my rear, I ordered a retreat, which was continued about a mile, under a heavy fire of regulars and savages. Observing an advantageous height of ground, the detachment was formed, and held their position, although hardly pressed, until a strong re-enforcement arrived, for my support; the whole body then advanced and compelled the assailants to retreat in *their* turn. In this rencounter, our loss was forty men and three officers, killed and wounded.—Although, in the first instance, I was obliged to retreat, yet I received the full approbation and thanks of General Schuyler, in public orders, for my conduct. At this time Lieutenant Colonel Brooks had arrived at Albany with the remainder of the regiment, and was marching up the Mowhawk, with a detachment ordered for the relief of fort Stanwix, which was invested, by a detachment of the British army, and savages. I was ordered to join him with the part of the regiment I had commanded during the campaign, and the junction was made at the German Flats, which was then the extent of our settlements. The gallant defence of that fort, with the circumstances of the siege, and the manner in which it was relieved, are fully recorded in history. After the siege was raised and the besiegers compelled to retreat to Canada, the detachment returned, and joined the army on the Hudson, at the entrance of the Mohawk, into that river.

General Gates had now been appointed to the chief command in the northern department, and immediately ordered the army to advance on the enemy. He took a position, and formed his camp, on Bhemis' heights, about eight miles below Sarratoga, where his fortifications were erected, with the right extending to the Hudson. General Burgoyne, crossed the river at fort Edward, and established his camp, and fortifications, above, leaving a space of about two miles, between the two armies.— The two memorable battles, which were fought on this ground by these two armies, on the 19th of September, and the 7th of October, previously to the surrender of General Burgoyne, are also described in the history of the revolutionary war. The action of the 19th of September, commenced between Colonel Morgan's riflemen and an advanced corps from the right of General Burgoyne's encampment, directed towards the left of General Gate's position. It was about one o'clock in the afternoon. A very short interval succeeded, when Morgan's corps was re-enforced by General Poor's brigade from New Hampshire, and at the same time, with a detachment of three hundred volunteers, from the Massachusetts' brigade, to which I belonged, and the command of which was assigned to me. The action was obstinate, and severe, and was only interrupted by the dusk of the evening. General Burgoyne claimed the victory, because his troops lay on the field of battle; our troops more desirous of comfort, than of etiquette, retired, in the dusk of the evening to their tents, to prepare for combat the next day, if called again into the field. By the return, it appeared, that one hundred and fifty of the three hundred under my command, were killed and wounded.

On the 7th of October, I likewise commanded another detachment from the brigade, of about three hundred men, which before the action commenced, was ordered to the left of our position, to observe the movements of the enemy, give information, and check any small parties, which might be advancing. It was discovered in the afternoon, that the strength of the British army was moving to occupy elevated ground on the left of our encampment.

Colonel Morgan's riflemen, with a corps of light infantry, under the command of Major Dearborn and the principal part of the left wing of the army, was ordered to attack them. When

these re-enforcements arrived on the ground where I was posted, I joined Colonel Weston's regiment with the detachment I commanded, and after a severe conflict, General Burgoyne was compelled to retreat to his lines, where he was followed, and the day was closed by storming his entrenchments, and entire possession was gained of the right of his position, and encampment. This victory, and the obstinate battle of the 19th of September, with our success at fort Stanwix, and Bennington, on his right and left wing, decided the fate of his army. After the surrender, the regiment to which I belonged, with other detachments from General Gates' was ordered to re enforce General Washington's army, then at White Marsh, between the Delaware and Schuylkill, in Pennsylvania,—after this junction the British army marched out of Philadelphia, reconnoitred, and viewed every part of General Washington's position. and it was fully expected a general battle would have been fought, between the two armies, on this occasion. Sir William Howe could have had no other motive in advancing from Philadelphia; and General Washington had taken a strong position, and there is no doubt, but it was his intention, to have defended it. He had now with him the strength of General Gates' successful army, and the army he had commanded during the campaign. The one would have been animated with a desire to have maintained the character it had acquired, and the other to have proved, that it had deserved equal success. The fields between the two armies, were suitable for military operations, and the strength of both was collected in compact bodies.

The British commander, declining the combat, probably prevented a more general battle than was fought during the war of the revolution. The British army would have been ambitious to have retrieved the misfortunes at the north, and the American army, now united under the standard of its beloved Washington, would have exerted all its energies to have added to the glory, which had been acquired at Saratoga.

After the retreat of the British army to Philadelphia, General Washington marched his army to the west bank of the Schuylkill, about twenty miles from Philadelphia, in the month of December, where huts were built for winter quarters, with materials taken immediately from the forest, and constructed by the troops, without any assistance from mechanics. Here, after

the toils of the campaign, the army suffered every distress, which the want of necessary food, comfortable clothing, and consequent disease could occasion. In this situation it remained, until the British army evacuated Philadelphia, and commenced its march through New Jersey to New York, by the way of Amboy. As soon as information was received of this movement, General Washington crossed the Schuylkill, and marched on the rear of the enemy. At Monmouth, the British army was overtaken, and a battle ensued, honourable to the American arms. In this battle, I commanded the 8th Massachusetts' regiment, Lieutenant Colonel Brooks acting on the staff as Adjutant General to the advanced corps, under the command of General Lee. After this battle, the army retired to the Hudson, and the following winter, was stationed at West Point, and in the high lands.

During the winter, the command of the troops, on the advanced lines of the army, near York Island, was assigned to me. The objects of the command were, to observe the movements of the enemy, check any small parties advancing into the country, and afford protection to the inhabitants of that part of the state of New York, and the west part of the state of Connecticut. The line of defence extended from the north river to the White Plains, and from thence to the east river or sound, a distance of about ten miles.

This position was about twenty-five miles from any other part of the American army, and not more than ten miles from the enemy, on York Island. My command consisted of about four hundred men, and the duty was so severe, that all the officers and men, were relieved every fortnight. I however remained, at the request of General Washington, from November until May; during this time, many attempts were made by the enemy to surprize my guards, but without success. All my rest and sleep were taken by day, and my nights were devoted to incessant duty. In this exposed situation, for five months, within three hours' march of the whole British army, no part of my troops was ever surprized, although many attempts were made for the purpose, and many successful enterprizes were made against the enemy's outposts.

In May, 1779, when the British army advanced up the north river, to take possession of Stoney and Verplank's points, I was

ordered to retire from the lines, and join the army at West Point. This corps, composed of light infantry, was continued under my command, and was ordered to take a position on the highest ground, in the rear of the fortifications at that place and which overlooked all that had been constructed between it and the river. Here a new fort was erected, by this corps. General Wayne, at this time, commanded the light infantry of the army, and his station was on the west bank of the Hudson, about three miles below West Point, near fort Montgomery. The British commander having erected fortifications on both sides of the Hudson, about fourteen miles below West Point, at Stoney Point and Verplank's point, and, leaving about a thousand men at each of those posts, returned to New York with the main body of his army, and formed a predatory expedition against the towns in Connecticut, which bordered on the sea shore. His object undoubtedly was, to draw General Washington from his strong holds, on the Hudson, and before he could return for their defence, ascend the Hudson, and possess himself of West Point, and the positions in the high lands. Under these circumstances, it became necessary, for General Washington to adopt some measures, to check the desolation making on the sea-board.

Not thinking it safe to march his army from the Hudson, he projected an enterprize against Stoney and Verplank's Point. The execution of the one against Stoney Point was committed to General Wayne; I was ordered with the corps I commanded to leave the heights I had fortified, and join him at Sandy Beach, near fort Montgomery. Before we marched, two companies of light infantry, from North Carolina, under the command of Major Murphy, were ordered to join my corps, and being the senior officer, my command now consisted of seven companies. The whole body of light infantry, being thus organized under the command of General Wayne, consisting of less than two thousand men, commenced its march over the mountains, and halted the beginning of the evening, about a mile and an half from Stoney Point.

Here the orders were, for the first time, communicated.—At twelve o'clock at night, the attack was made, with unloaded arms, and with the bayonet alone. Some historians of the revolution have considered that the British garrison was surprized.

This is not the fact; as we advanced, the centinels fired on us half a mile from the fort, and when we forced the barriers, and entered the fort, every British soldier was in full uniform, with his arms in his hands. History has pointed out all the transactions relating to this successful enterprize.

In consequence of letters from General Washington to General Heath, and from General Washington to the legislature of Massachusetts, after the enterprize against Stoney Point, I was promoted to the rank of Lieutenant Colonel;—promotions at that period, being made by the legislatures of the states.

When the army retired to winter quarters, in 1779, the paper money, in which the officers and soldiers had been paid, had depreciated to such a degree, that justice and expediency required that some measures should be adopted for their relief. General Washington approved and consented to an arrangement, of sending commissioners, to the different states, to represent the case to the legislatures, and solicit relief.—To this duty I was appointed, by the officers of the Massachusetts' line, and this was my first absence from military duty, since I had joined the army in 1775.

In December, 1780, and January, 1781, mutinies had been excited in the Pennsylvania and Jersey lines of the army, from causes, which here it is unnecessary to mention, and it was feared the excitement would extend to the other parts of the army. General Washington was desirous of making some offensive operations against the enemy, to show to his country, and the British commander, that his whole army was not infected with this mutinous spirit. For this purpose he ordered a detachment to march against the mutineers into New Jersey, and another detachment to attack the enemy's post at Morrisania. The command of the latter detachment was assigned to me—Morrissania was so insulated, that General Washington considered that success was very doubtful; but under the circumstances which existed, as appears in his letter on the subject to General Heath, he thought it expedient to make the attempt. The result, however, was favourable to the American arms, as complete success attended the enterprize.

In the summer of 1783, after preliminary articles of peace were settled, and a cessation of hostilities had taken place, the American army remained at West Point, and in the highlands

in its neighbourhood and a corps of light infantry was formed and stationed very near the British posts at Kingsbridge, the command of which was assigned to me. Here I remained until the British army was ready to evacuate New York. At that time General Washington with many of the principal officers of the army, attended likewise by the Governour, and a number of the civil officers of the State were escorted into the city by the corps I commanded; and commencing at Kingsbridge, as the British retired from their posts we advanced and took possession of them.

The day General Washington took his final farewell of his brother officers in New York, this corps which I had so long commanded, had the honour of escorting him to his barge, and paying him the last military salutation he received from that army, which had followed his standard through the trying scenes of the revolutionary struggle.

Under the circumstances, which have since taken place, and the attempts which have been made, to destroy my military character, I have considered it my duty, fellow citizens, to present to you, this general sketch of my revolutionary services.

In the enterprize against Morrissania, where I commanded, I refer you to the letter of General Washington to General Heath, which has been lately published, to show his opinion of the hazard, which attended it, and to his public orders to the army, expressing his thanks, for the judicious arrangements, which were made, and the intrepid manner, in which they were executed. Likewise to the resolution of Congress, with similar expressions of approbation.

For my conduct, in storming Stony Point, I refer you to the public orders of General Wayne, General Washington, and the resolution of Congress, in which my name will be found associated, with the officers, who distinguished themselves on that occasion.

On all other occasions where I was called into the field of danger, I can refer to the letters and orders of General Washington, and the other Generals, under whose immediate command I served, for their approbation.

I am in the possession of these testimonials, and many of them are on the records of our country. They will be preserved and left with my family, to be made use of hereafter, in such manner, as they may think proper. WILLIAM HULL.

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